

Date: 15.03.2019

Hon'ble Justice Ranjan Gogoi
 Chief Justice of India
 Supreme Court of India
 New Delhi – 110201

**SUBJECT: INSTITUTIONAL COMPLICITY IN SURVEILLANCE OF DISTANCE EDUCATION SCAM AT
 WBNUJS**

Dear Sir,

The undersigned respectfully seeks your urgent intervention into matters pertaining to the distance education scam at his *alma mater*, the West Bengal National University of Juridical Sciences, Kolkata (**WBNUJS**). Established under the WBNUJS Act, 1999, WBNUJS is blessed to have Your Lordship, the sitting Chief Justice of India, as its Chancellor.

By way of humble introduction, the undersigned is a Class of 2018 graduate of WBNUJS and was honoured to be elected to its apolitical student body, the Student Juridical Association (**SJA**) as the President for two terms (2016-17 and 2017-18). In my last few months at WBNUJS, very many grave administrative lapses came to light which were brought to the notice of WBNUJS' Executive Council (**EC**) and its Academic Council (**AC**) by the SJA. Almost a year on, I feel constrained to write to you regarding the captioned matter, which has aggravated instead of being resolved owing to regrettable administrative indifference.

BACKGROUND

On 10.05.2018, the SJA vide its written and physical representation before the Hon'ble AC's 32nd Meeting exposed a multi-crore scam concerning the illegal

continuance of distance education courses by WBNUJS. SJA's detailed written representation [REDACTED] raised serious questions on the unholy alliance between the former Vice Chancellor, **Dr. Anil Kumar**; the then Registrar (Acting), **Dr. Sarada Medhan**; School of Distance & Mass Education (**SDME**) Director and veteran EC, AC, and General Council (**GC**) member, **Dr. Nirjan Mandal**; another EC, AC veteran, Assistant Professor, **Ms. Vaneeta Patnai**; and AC member, **Dr. Sandeepta Das** and certain private collaborators working purely for profit. The SJA exposed how the aforementioned employees misled WBNUJS' EC and AC into approving distance education courses (offline, online and hybrid) run by these private parties even though such courses were not recognised by the statutory regulator Distance Education Bureau, University Grants Commission (**UGC**).

Based on the facts written and oral submissions the Hon'ble GC suspended distance education courses run by WBNUJS in collaboration with private partners with immediate effect [REDACTED].

This issue was again brought up by the SJA before the Hon'ble EC's 61st Meeting held two days later, i.e., on 12.05.2018 which had Hon'ble Justice Arun Kumar Mishra in attendance as the Hon'ble Chancellor's nominee [REDACTED]. The Hon'ble EC, led by Hon'ble Justice Mishra, ratified the 32nd AC's decision to suspend these courses and further instituted a two-member fact-finding inquiry into the various grave issues raised by the SJA, including the one on distance education [REDACTED]. The said fact-finding inquiry comprised of the Hon'ble West Bengal Advocate General, Mr. Kishore Datta along with the Vice Chancellor (Acting), Hon'ble Justice (Retd.) Amit Talukdar.

In addition, the mandate of the Commission into a specific conflict of interest allegation against faculty member Ms. Vaneeta Patnai was given to a separate three-member Inquiry. Ms. Patnai is the self-proclaimed Coordinator of the Centre for Financial and Regulatory Governance Studies (CFRS) which is an unauthorised research centre in the University. CFRS also came under the scrutiny by the aforesaid three-member Inquiry as per the specific directions of the 1st MC dated 11/01/2018. Ms. Vaneeta Patnai is also a Director in Government Educators Welfare Trust which sought to run a certificate course in association with WU. The 2nd MC dated 11/01/2018 and the 3rd MC dated 11/01/2018. It is unclear if the proposed course actually took off. However, there are no records to show that she disclosed her association with Government Educators Welfare Trust to the University at any point in time. In fact, she was very much present as a member in the said 1st MC and 2nd MC meetings collectively as 11/01/2018 and actively opted to make no mention of the conflict of interest when the issue of Government Educators Welfare Trust was discussed.

Subsequently, the distance education scam became the common topic of investigation for another (albeit dedicated) Inquiry commissioned by the 62nd EC, comprising West Bengal Lokayukta, Hon'ble Justice (Retd.) Ashim Kumar Roy; NLSIU (Bangalore) Vice Chancellor, Prof. Venkata Rao; and the Hon'ble West Bengal Advocate General, Mr. Kishore Datta [11/01/2018]. Unfortunately, this Committee is yet to be convened by the University.

CLEAR AND DELIBERATE ILLEGALITIES

Brief History of Regulation

Soon after the establishment of the Indira Gandhi National Open University (IGNOU) in 1985, its erstwhile Distance Education Council (IGNOU DEC), in part, regulated Open and Distance Learning (ODL) nationwide. Subsequently, the Hon'ble Supreme Court of India in *Annamalai University v. Information & Tourism Deptt.* [(2009) 4 SCC 590] held that regulations framed by the University Grants Commission (UGC) to determine standards of education are a part of the UGC Act, 1956 and are applicable to both open universities and formal universities (¶42). The IGNOU Act, 1985 was held to be in addition and not substitution of the UGC Act or the regulations/ norms framed thereunder (¶42). Differentiating between the power to regulate standards of education bestowed upon the UGC and the supplementary duty of the erstwhile IGNOU DEC to additionally regulate education imparted through the distance learning mode, the Court held and clarified that there can be no relaxation on the “basic things” necessary (referring to the relevant UGC regulations and norms) for conferment of a degree (¶¶40–41, 57–59). It is well-settled through a long line of subsequent Judgments pronounced by the Hon'ble Supreme Court of India that Higher Education Institutions (HEIs) ought to mandatorily follow UGC regulations and norms.

Subsequent to the Prof. N.R. Madhava Menon Report on Distance Education, on 01.01.2010, the UGC issued a letter to Vice Chancellor of all Universities iterating that the IGNOU DEC had been dissolved, and the UGC had been entrusted with “all the regulatory responsibilities” of the ODL education system by the Ministry of Human Resource Development, Government of India (MHRD) [01.01.2010 UR 1].

On 01/01/2019, the UGC issued a notification adopting the 'Guidelines of DEC on Minimum Requirements for Recognition of ODL Institutions' (DRC Guidelines) of the erstwhile IGNOU DEC. It further stated that the said notification shall cease to have force upon coming into force of any prospective UGC guidelines on the subject matter [01/01/2019UR 01].

On 01/01/2019, a public notice was issued by the UGC advising students desirous of pursuing education through ODL mode to check the status of approval/recognition of programmes of Universities/Institutions on the UGC website at www.ugc.ac.in/deb. Such prospective students were further advised to not take admission in any Study Centre offering the course outside its "Territorial Jurisdiction" and Universities/Institutions were advised to operate themselves within their respective territorial jurisdiction only in accordance with the relevant UGC norms [01/01/2019UR 01].

On 01/01/2019, the UGC issued another public notice reiterating the abovementioned contents from its earlier public notice dated 01/01/2019 and adding [01/01/2019UR 01]:

*"It has come to the notice of the UGC that some Universities/Deemed to be Universities/Institutions are offering programs through Open & Distance Learning (ODL) mode in gross violation of the policy of the UGC/erstwhile DEC. These Universities/Deemed to be Universities/Institutions are issuing misleading advertisements that their programmes are recognized by the UGC. Students, parents and public in general, are hereby, informed that the list of the recognized institutions (alongwith the courses), which are permitted to offer programmes through distance mode is posted on the UGC's website www.ugc.ac.in/deb. Besides, it may also be noted that no institution is permitted to offer Diploma/Bachelor /Master level programme under ODL mode in Engineering & Technology. Also, **UGC has not accorded recognition to any university /institution to offer 'online' programmes.***

...

(emphasis added)

Subsequently, on 01.01.2018, UGC again clarified the non-permissibility of online courses, including hybrid courses with online examination [01.01.2018UR 01]:

*“As you are aware that while seeking recognition for the years 2015-16 and 2016-17, the institutions submitted an affidavit agreeing to various conditions including that **“no online programme leading to award of degree/ certification shall be offered by the University/ institution until a policy is framed and approved by UGC in this regard”**.”*

However, it has been noted by UGC that some institutions/universities which have been approved by UGC to impart education through open and distance learning mode are offering to conduct 'Online Examinations'.

The matter was considered and it was observed that creditable online examination system for large number of learners involves a lot of complexity of managerial issues, availability of reliable and robust alternative networks connecting all examination centres, highly secured ICT systems; development of difficulty level based huge question banks etc., requiring heavy initial expenditure and running costs. It was also observed that so far, UGC has not laid down any standard parameters for holding the examinations 'Online'.

It is therefore, requested that your university/institution should not conduct 'Online Examinations' until such time that the UGC Guidelines are formulated and made mandatory applicable.”

(emphasis supplied)

On 01.01.2018, UGC notified the UGC (Open and Distance Learning) Regulations, 2017 (**ODL Regulations**) in supersession of the DEC Guidelines. The said ODL Regulations were set to be operationalised for the year 2018-19 [01.01.2018UR 01].

Later, on 01.01.2018, UGC notified special guidelines viz. the UGC (Online Courses or Programmes) Regulations, 2018 (**Online Regulations**), patterned on the same lines as the earlier ODL Regulations, to specifically regulate online ODL courses [01.01.2018UR 01]. Explanation to Regulation 6(3) reads:

Thereore, the suspension of online courses by WUOSCs and Meeting dated 00000000 no purely online courses or hybrid courses were permitted under the UoC act. Purely online ODL courses were required to comply with DfC guidelines, where specific approval of ILOU DfC was required for each course till 00000000. Thereafter, from 00000000 onwards, a course-specific approval was required under the same DfC guidelines by UoC DfC.

□ recent U□C notice dated □□□□□□□□ states t□at violations o□U□C D□□□s re□□□ations□□□ide lines can res□□t in revocation o□t□e U□C sanction □or re□□□ar courses as we□□W□ie □□□S□R □ydera□ad□□□U De□□i □ew De□□i□R□□U□□□atia□□and □□U Odis□a □C□ttac□□sec□re Cate□ory I and II a□onomy □rom U□C□t□e s□ame□□com□□icity o□t□e a□orementioned □ac□ty and sta□□members wit□ □rivate □artners □as □□t W□□U□S at a very rea□ris□ o□□osin□ its U□C a□□iation and s□□ttin□ down□It is s□ame□□t□at t□ese em□□oyees s□□□□t to se□W□□U□S□very e□istence as an academic instit□tion □□□□□UR□ □□□□

Persistent Violation by WBNUJS

UGC DEB's Right to Information query (**RTI**) response dated 08.03.2019 [REDACTED] to my online RTI bearing No. UGCOM/R/2019/50506/1 dated 22.01.2019 [REDACTED] conclusively establishes that WBNUJS never had any approval from the erstwhile IGNOU DEC or later the UGC DEB:

“Reply:- 1,2,4. The National University of Juridical Sciences, Kolkata (NUJS), West Bengal is not recognised by DEB-UGC or erstwhile DEC-IGNOU to offer programmes through distance education mode.

...”

(emphasis supplied)

It is evident that while WBNUJS had UGC’s sanction to offer undergraduate, postgraduate and doctoral degrees in law under regular mode, **it never had any approval from the erstwhile IGOU DEC or the UGC DEC to offer any online ODL courses as stated earlier online and hybrid courses were never allowed.** Yet WBNUJS blatantly offered online and hybrid ODL courses in collaboration with various private partners since 2004. Since WBNUJS could not have been a part of such collaborations without due approval from the erstwhile IGNOU DEC or the UGC DEB, WBNUJS had started these courses illegally in the first place.

As of today, WBNUJS is in no position to obtain due approvals for ODL and online courses any time soon in view of various requirements under the extant UGC Regulations, including the requirement of NAAC accreditation and a specific NAAC score. WBNUJS is not NAAC accredited and is far from submitting a meaningful application.

Acute Reputation Loss and Dilution of Classroom Instruction for Regular Students

It is unclear why Prof. P. Ishwara Bhat; Dr. Sarfaraz Ahmed Khan; Prof. Anirban Mazumdar; Ms. Vaneeta Patnaik; and Prof. Sandeepa Bhat persisted in sheltering these illegal collaborations with private partners. Their deliberate acts of obfuscation and institutional cover-ups have left the University vulnerable to suffer reputational and financial losses and a very real risk of losing UGC affiliation and

shutting down. Illustratively, an email forwarded by **Dr. Anirban Chatterjee**, WBNUJS Assistant Professor (currently on lien to Maharashtra National Law University, Nagpur where he joined as an Associate Professor) to all faculty members, and specifically Prof. Anirban Mazumdar, Prof. Sandeepa Bhat and Prof. P. Ishwara Bhat on 05/08/2018 is noteworthy in this regard, and states [05/08/2018 11:00 AM]:

*"I have mentioned in the past that some profit oriented entrepreneurs are exploiting WBNUJS brand name and the agreements require to be immediately stopped. Now I am attaching public queries. If the matter is ignored further, **I am sure that it is not far, when WBNUJS will be dragged to Court for this. In public interest and for the sake of WBNUJS brand reputation it is my appeal please act on this matter with some urgency or the University will suffer permanent damage of its reputation.**"*

(emphasis supplied)

A comment by **one of my classmates from Class 010101** (on condition of anonymity), who was **regularly engaged in drafting study material for readers**, for certain online courses is reproduced hereunder verbatim:

"In the past few years, WBNUJS has been churning out distance learning programs at an unprecedented pace. These programs are being turning up on any and every topic. While the preparation of course material is outsourced to the students, it is often done without clear guidelines or even a broad structure. For course material, students often collect legal principles from a wide variety of sources, including random blog posts on the internet. While some of it is paraphrased, most of it is directly copied from these sources. In most cases, these collections are approved by the faculty advisor despite prime facie errors. The resultant course material is an undecipherable mesh of legal provisions riddled with inaccuracies. Given the state of the course material, the people opting for the Distance Education Programs from WBNUJS are much better off with a simple Google search.

Yet, the quality of the material is commensurate with the monetary compensation awarded to students for drafting them. Compensation ranges from INR 3000 to INR 10,000 depending upon the amount of

assignment undertaken. From personal experience, one accurate and comprehensive module within the course material requires at least 100 hours of cumulative work including researching, drafting and editing. Typically, the compensation for one entire module is INR 5,000. This translates to less than INR 50 per hour. Part-time employment at the nearby KFC offers higher compensation.

Further, total compensation awarded for preparation of the course material is INR 50,000 - INR 60,000. Fee charged for the course is INR 35,000 - 50,000 per Learner. Therefore, it appears the entire business model for the WBNUJS Distance Education program is -

Step 1 - Setup a course at minimal cost irrespective of quality.

Step 2 - Leverage WBNUJS name to charge the maximum amount from gullible people.

Step 3 - Once people discover the shoddy quality of the course, create a new course on a new topic.

In my opinion, WBNUJS should be prohibited from offering Distance Education courses until such time that its quality can be guaranteed to avoid further reputational loss and potential litigation against the University."

(emphasis supplied)

The esteemed **West Bengal University Review Commission (URC)** comprised **Professor Manoj Kumar** (Chairperson), Former Director of National Judicial Academy, Bhopal, and National Law School of India University, Bengaluru; **Professor Anil Kumar** (Member), Vice Chancellor, NALSAR University of Law, Hyderabad, Telangana; and **Professor Rajat Manojtra** (Member), former Head of Physics Department and Dean, Faculty of Sciences, University of Jammu, Jammu & Kashmir. The URC expressed serious concerns with respect to dilution of classroom instruction for regular students on account of these ODL courses in their Report:

"Benchmark 1: Catalyzing Academic Innovation and Academic Excellence

C. (Academic) Value Addition (to students).

viii. Quality of academic governance systems (including appeal, grievance and redress mechanisms).

116.

...

The University has introduced more than 6 PG Diploma Programmes in the last five years. This has however not been accompanied by increase in faculty strength. This has resulted in increase in teaching load for Faculty. In fact, some faculty Members have spent more than 80 teaching hours in a year just on multiple diploma programmes. This has severely cut time available for research and also undermined the quality of teaching due to paucity of time for preparation. Therefore, it is essential that faculty size be increased to meet the teaching workload of the PG Diploma Programmes and that new PG Diploma Programmes be introduced only after consideration of available faculty for the programmes.

...

Benchmark 6: Quality of Management and Administration

Management Failure

132. The core issue facing WBNUJS today is a failure of management and administration of a very large scale. The Commission received a flood of complaints. Some of the complaints received are set out here to illustrate the depth of the management failure we encountered (many of the points below are noted elsewhere in the Report as well).

...

- **Teacher-student ratios are at a historic low and students are not receiving adequate individual attention.**
- **Even though there is a severe shortage of faculty, new programmes are being started without adequate academic resources.**
- **The undergraduate programme is suffering from grievous neglect.**

...

Part 5: Summary of Recommendations Submitted to the Hon'ble Chancellor

Enhance Faculty Strength to 80, Improve Student-Teacher Ratio

7. We recommend that a plan be developed urgently to increase the WBNUJS faculty size to a strength of at least 80, appropriately distributed between various levels of seniority as needed for teaching and research. The faculty requirement should be drawn up based on training and research strategies to be drawn up by the Teaching Dean and a Dean be in charge of Strategy and Planning.

8. It is essential that faculty size be increased to meet the teaching workload of the PG Diploma Programmes and that new PG Diploma Programmes be introduced only after consideration of available faculty for the programmes.”

(emphasis supplied)

THE REAL ARCHITECTS OF FRAUD ON THE EC AND THE AC

Most recently on 18.02.2019, the SJA gained access to a large cache of GC, EC, AC, FC and erstwhile Standing Committee minutes and agenda notes. A perusal of these documents evidences that there was a deliberate, concerted attempt on part of the aforesaid employees to mislead the statutory governing bodies of the University into providing approvals without any proper disclosure of information or even the basic law governing the implications of (lacking) such approvals. It also appears that the relevant statutory bodies, i.e., the Hon'ble GC, the EC, the AC and the Finance Committee (FC) were subsequently kept in dark about the illegalities which allowed the continuance of all these courses till 10.05.2018. I have tabulated references to governing body minutes (all finally available online at nujs.edu) hereunder for Your Lordship's convenient perusal:

Name of the course	Partner or Sponsor	Relevant Statutory Body References
PG Diploma in Business Laws	Larsen & Toubro (Although the PGD course was mostly for sponsored L&T executives, it was also “open to general student community”)	Approved by 12 th AC dt. 26.07.08 VC – Prof MP Singh Registrar (Acting) – Niharendu Konar Course Leader – Dr Sreenivasulu Additional Notes (by the undersigned) – L&T concluded their sponsorship after 3 years and the PGD course was subsequently offered directly by the University.
Certificate (and eventually PGD) courses in: Laws relating to International Trade & Investment;	Directly offered by University	Approved by 12 th AC dt. 26.07.08. AC further instructed that detailed rules and regulations must be prepared. VC – Prof MP Singh Registrar (Acting) – Niharendu Konar

Name of the course	Partner or Sponsor	Relevant Statutory Body References
Information Technology; IP; ADR; Human Rights; Media and Entertainment; Medicine and Public Health; Anti-Terrorism; Taxation; Gender; Refugee and Forced Migration; Industrial Relations & Personnel Management.		Course Leader(s) – Information unavailable Additional Notes (by the undersigned) – None of these courses took off.
PG Diploma in Intellectual Property Law	Directly offered by University	Approved by 12 th AC dt. 26.07.08. AC further instructed that detailed rules and regulations must be prepared. VC – Prof MP Singh Registrar (Acting) – Niharendu Konar Course Leader – Information unavailable
PG Diploma in Air & Space Law	Directly offered by University	Approved by 32 nd EC dt. 08.05.10. VC – Prof MP Singh Registrar (Acting) – Dr AK Poddar Course Leader – Dr Sandeepa Pat
PG Diploma in Commercial Laws	Rainmaker Training & Recruitment Pvt Ltd	Approved by 15 th AC dt.03.01.11 and 34 th EC dt.08.01.11 VC – Prof MP Singh Registrar (Acting) – Dr AK Poddar Course Leader/Negotiator – Dr Sudhir Krishnaswamy and Dr Anirban Majumdar (kindly refer to p. 64 of 33 rd EC dt. 28.08.10). Additional Notes (by the undersigned) – The

Name of the course	Partner or Sponsor	Relevant Statutory Body References
		<p>EC agenda notes mention that the University initiated correspondence with the IGNOU DEC for approval. Inexplicably, the course was started without IGNOU DEC approval in place.</p> <p><u>Against my RTI filed on 08/08/19 with WU. The University failed to provide any information on the aforesaid correspondence.</u></p> <p>Against my online RTI bearing No. UGCOM/R/2019/50506/1 dated 22.01.2019 with the UGC DEB (08/08/19), <u>UGC DEB has unequivocally clarified that the University never had any approvals from the erstwhile IGNOU DEC or the UGC DEB to run distance education courses</u> (08/08/19).</p>
<p>Online Diploma on Legal & Administrative Issues in Entrepreneurship</p> <p>Subsequently launched as Online PG Diploma in Entrepreneurship Administration and Business Laws</p>	<p>iPleaders (Intelligent Legal Risk Management Solutions LLP)</p>	<p>Approved by 16th AC dt. 29.04.11; 35th EC dt. 30.04.11 deferred the matter pending a review.</p> <p>When the initial contract ran out in 2014, the 77th FC on 09.10.15 extended the contract till 2019 in a questionable manner.</p> <p>VC – Prof MP Singh/ Dr. Arameswaran Registrar – Dr Surajit C Mukhopadhyay/ Dr Arameswaran Course Leader – Information unavailable</p> <p>Additional Notes (by the undersigned) – The Addl. Agenda No. 2 of the 22nd AC dt. 11.11.13 mentions that subsequently the course was converted into a one year (instead of six months) Online PG Diploma in Entrepreneurship Administration and Business Laws and approved by the EC via circulation mode on 21.06.11.</p> <p>Following a notice from UGC, the University seemingly sought approval from the UGC.</p> <p>It appears that the course was launched and ran without due approvals from IGNOU DEC or UGC DEB.</p> <p><u>Against my RTI filed on 08/08/19 with WU. The University failed to provide</u></p>

ame of the course	artner or Sponsor	Relevant Statutory Body References
		<u>any information on the aforesaid resolution of the AC on [redacted] nor is it reported in the minutes of the [redacted] AC meeting dt. [redacted] or in subsequent AC meetings. Correspondence with UGC has also not been made available.</u>
PG Diploma in Human Rights	One-off start-up funding by the UGC; directly offered by the University	17 th AC dt. 26.08.11 and 36 th EC dt. 27.08.11 VC – Prof MP Singh Registrar – Dr Surajit C Mukhopadhyay Course Leader – Information unavailable
PG Diploma in Nuclear Law	One-off start-up funding by Department of Atomic Energy, Government of India; directly offered by the University	19 th AC dt. 02.03.12 and 38 th EC dt. 03.03.12 VC – Prof Iswara Das Registrar – Dr Surajit C Mukhopadhyay Course Leader – Dr Sandeepa Das
PG Diploma in: Constitutional Litigation; Public Law & Governance; Consumer Law & Practice; Law relating to Non-Profit Organisations; and Intellectual Property Rights	Directly offered by the University	20 th AC dt. 11.07.12 and 39 th EC dt. 14.07.12 VC – Prof Iswara Das Registrar – Dr Surajit C Mukhopadhyay Course Leader(s) – Information unavailable Additional Notes (by the undersigned) – It is unclear if the courses took off. A Certificate course on Consumer Law was started with a one-off start-up funding from the Department of Consumer Affairs, Government of West Bengal. The PG Diploma on IPR may have also started. Also, the AC/ the EC approved the University decision to form a Distance Education Council (DEC) to formulate the necessary rules/ regulations for running distance and online education courses; overall supervision of distance and online courses offered by the University directly or in collaboration with private partners; and seek the required approvals from IGNOU DEC and/ or UGC DEB. The members of the said DEC at WBNUJS were: Dr Sreenivasulu (Chairperson), Dr Sandeepa Das , Dr Anirban Maity , Dr Kavita Singh, Dr Bikramjit De, Mr Sanjay Kumar, Mr Anirban Chakraborty and Mr Tamas Chattopadhyay Assistant Registrar Academics as the Secretary to DEC WBNUJS.

Name of the course	Partner or Sponsor	Relevant Statutory Body References
		<p>On 11.02.17 the 54th EC approved the establishment of the School of Distance Education and Mass Education (SDME) that took over all the functions of the DEC. The SDME would conduct all online, offline and hybrid distance education courses. Regular undergraduate, postgraduate and doctoral programmes would continue with the AR (Academics).</p> <p>On 24.03.17, Prof P Ishwara Bhat while placing the SDM under the administrative supervision of AR Academics also nominated Dr Anirban Mondal as the Director SDM. This arrangement was ratified by the 55th EC on 15.07.17</p>
Master in Commercial Law (MCL)/ Master in Business Law (MBL)	<p>Directly offered by the University. It appears that the course was subsequently actualised in collaboration with a private concern iPleaders (Intelligent Legal Risk Management Solutions LLP)</p>	<p>20th AC dt. 11.07.12 and 39th EC dt. 14.07.12</p> <p>VC – Prof Ishwara Bhat Registrar – Dr Surajit C Mukhopadhyay Course Leader(s) – Information unavailable</p> <p>Additional Notes (by the undersigned) – For unstated reasons the AC members suggested a change in nomenclature from MCL to MBL</p> <p>University offered to secure the due approvals from IGNOU DEC before launching this course.</p> <p><u>Against my RTI filed on 08.08.19 with WU, the University failed to provide any information on the aforesaid correspondence.</u></p> <p>Against my online RTI bearing No. UGCOM/R/2019/50506/1 dated 22.01.2019 with the UGC DEB (08.08.19), <u>UGC DEB has unequivocally clarified that the University never had any approvals from the erstwhile IGNOU DEC or the UGC DEB to run distance education courses</u> (08.08.19).</p>
Master in Business Laws (MBL) with specializations in: Corporate	iPleaders (Intelligent Legal Risk Management Solutions LLP)	<p>23rd AC dt. 21.06.14 and 47th EC dt. 01.11.14</p> <p>24th AC dt. 21.01.15 and 48th EC dt. 25.04.15</p>

Name of the course	Partner or Sponsor	Relevant Statutory Body References
<p>Governance, Legal Strategy & Compliances;</p> <p>IP and Information Technology Laws; or Investment, Banking & Finance Laws.</p> <p>Re-introduced as an online Master in Arts in Business Laws with specializations in: Corporate Governance and Statutory Compliances; IP and Cyber Law; and M&A, Investment and Institutional Finance, Drafting, Negotiation and Dispute Resolution</p>		<p>27th AC dt. 27.08.16; 29th AC dt. 22.04.17</p> <p>52nd EC dt. 24.09.16; 55th EC dt. 15.07.17</p> <p>VC – Dr. S. S. Iswara Registrar – Dr Surajit C Mukhopadhyay/Dr. Arameswaran Dr Sarara med an Course Leader(s) – Information unavailable</p> <p>Additional Notes (by the undersigned) – While confirming the minutes of the 23rd AC and the 24th AC, Dr. S. S. Iswara informed the members of the EC that UGC approval for an online Master in Business Laws (MBL) has already been sought. He assured that the course would start only after due approvals from UGC.</p> <p>In the 81st FC meeting on 09.08.16, the Dr. S. S. Iswara informed the members that since the MBL course offered by WBNUJS was modelled on its namesake in NLSIU Bangalore and the latter had to suspend the course following UGC directions, WBNUJS too will follow suit pursuant to a decision taken in an internal Faculty Advisory Committee meeting on 09.08.16. The FC advised the VC to inform the AC accordingly.</p> <p>The 27th AC on 27.08.16 approved the reworked (renamed) MBL as MA in Business Laws and the 29th AC on 22.04.17 approved the agreement with the private partner. No reference was made in the Minutes regarding UGC Department approval having been secured.</p> <p><u>Against my RTI filed on 09.08.16 with WBNUJS the University failed to provide any information on the aforesaid correspondence.</u></p> <p>Against my online RTI bearing No. UGCOM/R/2019/50506/1 dated 22.01.2019 with the UGC DEB (Dr. S. S. Iswara), UGC Department has unequivocally clarified that the University never had any approvals from the erstwhile ILOU DEC or the UGC Department to run distance education courses (Dr. S. S. Iswara).</p>

Name of the course	Partner or Sponsor	Relevant Statutory Body References
Online Certificate Course in Sexual Harassment Prevention	iPleaders (Intelligent Legal Risk Management Solutions LLP)	23 rd AC dt. 21.06.14 and 47 th EC dt. 01.11.14 VC – Dr. Anurag Iswar Registrar – Dr Surajit C Mukhopadhyay Course Leader(s) – Information unavailable
Certificate Course on Corporate Social Responsibility	Directly offered by the University with one-off start-up funding by National Foundation for Corporate Governance (NFCG).	23 rd AC dt. 21.06.14 and 47 th EC dt. 01.11.14 VC – Dr. Anurag Iswar Registrar – Dr Surajit C Mukhopadhyay Course Leader(s) – Information unavailable
Certificate Course on Natural Resources Law	Directly offered by the University	23 rd AC dt. 21.06.14 and 47 th EC dt. 01.11.14 VC – Dr. Anurag Iswar Registrar – Dr Surajit C Mukhopadhyay Course Leader(s) – Information unavailable
Certificate Course on Securities Law	Directly offered by the University with one-off start-up funding by National Institute of Securities Markets (NISM)	25 th AC dt. 17.08.15 and 49 th EC dt. 22.08.15 VC – Dr. Anurag Iswar Registrar – Dr. Arameswaran Course Leader(s) – Information unavailable Additional Notes (by the undersigned) – On behalf of the University the course was offered by the Centre for Financial and Regulatory Governance Studies (C R S), which is an unauthorised research centre currently under scrutiny by an EC-commissioned Inquiry. Ms Vaneeta Patnai Assistant Professor is the styled Coordinator of CRS. Ms Patnai is also facing inquiry from the CR for her involvement in a multi-crore distance education scam in the University as per the specific directions of the HC dated 01.08.2015.
PG Diploma in Public Healthcare and Medical Laws	Dillons Kidney Foundation	25 th AC dt. 17.08.15 and 49 th EC dt. 22.08.15 VC – Dr. Anurag Iswar Registrar – Dr. Arameswaran Course Leader(s) – Dr Sandeepa
Online PG Diploma in Entertainment & Media Laws; and Online PG Diploma	Information unavailable	25 th AC dt. 17.08.15 and 49 th EC dt. 22.08.15 VC – Dr. Anurag Iswar Registrar – Dr. Arameswaran Course Leader(s) – Dr Shameek Sen

Name of the course	Partner or Sponsor	Relevant Statutory Body References
in Competition Law & Policy		<p>Additional Notes (by the undersigned) – While the course was approved by AC, it never took off as the University did not have an online learning system in place.</p> <p><u>Precedent suggests that Government would have the AC approve the courses and then turn them over to private partners disorganised as technical support providers</u></p>
Online PG Diplomas in: Business; Cyber; IP; Medicine; Air & Space; Nuclear; Consumer; and Human Rights	Information unavailable	<p>25th AC dt. 17.08.15 and 49th EC dt. 22.08.15</p> <p>VC – Prof. Iswara Prasad Registrar – Dr. Arameswaran Course Leader(s) – Dr Shameek Sen</p> <p>Additional Notes (by the undersigned) – While the course was approved by AC, it never took off as the University did not have an online learning system in place.</p> <p><u>Precedent suggests that Government would have the AC approve the courses and then turn them over to private partners disorganised as technical support providers</u></p>
PG Diploma in Consumer Protection; and Certificate courses on: Protection of Consumer from Unfair Trade Practices in Securities and Insurance Sector; and Protection of Consumer's Right to Health and Physical Safety	Directly offered by the University	<p>26th AC dt. 05.02.16 and 51st EC dt. 09.04.16</p> <p>VC – Prof. Iswara Prasad Registrar – Dr. Arameswaran Course Leader – Dr Anirban Chakraborty</p>
PGEX Diploma in Corporate, Commercial & Industrial Laws	Hindustan Petroleum Corporation Limited (HPCL)	<p>27th AC dt. 26.08.16 and 52nd EC dt. 24.09.16</p> <p>VC – Prof. Iswara Prasad Registrar – Dr. Saravaraman Course Leader(s) – Information unavailable</p>

Name of the course	Partner or Sponsor	Relevant Statutory Body References
		<p>Additional Notes (by the undersigned) – On behalf of the University the course was offered by the Centre for Financial and Regulatory Governance Studies (CFRGS), which is an unauthorised research centre currently under an EC-commissioned inquiry.</p> <p>Ms Vaneeta Patnai is the sestayed Coordinator of CFRS. Ms Patnai is also facin inquiry from the C or her involvement in a multi crore distance education scam in the University as her the specific directions of the st C dated 000000 000000UR 000</p> <p>Since a copy of the agreement is unavailable it is difficult to ascertain whether the course was exclusively for sponsored HPCL executives or open to others as well, similar to the Larsen & Toubro sponsored PG Diploma in Business Laws.</p>
<p>Online Certificate courses on: Commercial Contract Drafting and Negotiation; Intellectual Property Law; Anti-Sexual Harassment Law; and Business Laws</p>	<p>iPleaders (Intelligent Legal Risk Management Solutions LLP)</p>	<p>27th AC dt. 26.08.16 and 52nd EC dt. 24.09.16</p> <p>VC – roo Iswara at Registrar – Dr Sarara med an Course Leader(s) – Information unavailable</p>
<p>Certificate Course on IPR</p>	<p>Directly offered by the University</p>	<p>27th AC dt. 26.08.16 and 52nd EC dt. 24.09.16</p> <p>VC – roo Iswara at Registrar – Dr Sarara med an Course Leader(s) – Information unavailable</p> <p>Additional Notes (by the undersigned) – Unclear if the course took off. On behalf of the University the course was offered by the Centre for Financial and Regulatory Governance Studies (CFRGS), which is an unauthorised research centre currently under scrutiny by an EC-commissioned Inquiry.</p> <p>Ms Vaneeta Patnai is the sestayed Coordinator of CFRS</p>

Name of the course	Partner or Sponsor	Relevant Statutory Body References
		Ms. Vaneeta Patnai is also facing inquiry from the CIC for her involvement in a multi-crore distance education scam in the University as per the specific directions of the 61st EC dated 12.05.18 (12.05.18/UR/1).
PG Diploma in International Relations, International Law and Strategic Studies	Directly offered by the University	29 th AC dt. 22.04.17 and 55 th EC dt. 15.07.17 VC – Prof. Iswara Prasad Registrar – Dr Sarinara Medhan Course Leader – Dr Anupama Ghosal
PG Diploma in Child Rights and Protection; and Certificate in Child Rights and Protection	Information unavailable	29 th AC on 22.04.17 and 55 th EC on 15.07.17 VC – Prof. Iswara Prasad Registrar – Dr Sarinara Medhan Course Leader(s) – Information unavailable Additional Notes (by the undersigned) – On behalf of the University the course was offered by the Centre for Child Rights (CCR) that had then received a major grant from UNICEF India for research and training. It is unclear whether course fees were collected. CCR is currently under review by an EC-commissioned Inquiry-cum-Steering Committee constituted by the 61st EC dated 12.05.18 (12.05.18/UR/1).
Certificate in Real Estate & Land Laws, Benami Transactions and Debt Recovery	<u>Independent Educators</u>	29 th AC dt. 22.04.17 and 55 th EC dt. 15.07.17 VC – Prof. Iswara Prasad Registrar – Dr Sarinara Medhan Course Leaders – Dr Shouvik Kumar Guha and Sanjit Kumar Chakraborty Additional Notes (by the undersigned) – Unclear if the course took off. On behalf of the University the course was offered by the Centre for Financial and Regulatory Governance Studies (CFRGS), which is an unauthorised research centre currently under scrutiny by an EC-commissioned Inquiry. Ms. Vaneeta Patnai, Assistant Professor is the styled Coordinator of CFRGS. Ms. Vaneeta Patnai is also facing inquiry from the CIC for her involvement in a multi-crore distance education scam in the University as per the specific directions of the 61st EC dated 12.05.18 (12.05.18/UR/1).

Name of the course	Partner or Sponsor	Relevant Statutory Body References
		<u>So note that Ms Vaneeta Patnai is a Director of Effulgent Educators a fact that was not disclosed by her to the University Council</u>
Certificate Course on GST	Information unavailable	29 th AC dt. 22.04.17 and 55 th EC dt. 15.07.17 VC – Prof. Ishwara Bhat Registrar – Dr Sarinara Medhan Course Leader – Dr Sanjay Kumar

The aforesaid information clearly reveals that **Prof. Ishwara Bhat accelerated what was illegally started** by Prof. M.P. Singh. Private partners such as iPleaders, Dillon's Kidney, Effulgent Educators LLP *et al.* were offered sweetheart deals under the watch of the former Vice Chancellor, **Prof. Ishwara Bhat**; the then Registrars (Acting), Dr. R. Parameswaran and **Dr Sarinara Medhan**; School of Distance & Mass Education (**SDME**) Director and veteran EC, AC and GC member, **Prof. Anirban Mazumdar**; another EC, AC veteran, Assistant Professor, **Ms Vaneeta Patnai**; and AC member, **Prof. Sandeepa Bhat** and Assistant Registrar (Academics), **Mr Taas Attacharya**.

Strangely, if these partners such as iPleaders were mere technical providers, how can 70-60% share be justified for them? It raises troubling questions concerning who negotiated and vetted these contracts on behalf of WBNUJS? Alternatively, if organisations like iPleaders were preparing original, copyrighted material and conducting the entire testing process, it raises even graver questions regarding the dilution of academic standards and outsourcing of instruction by WBNUJS.

Prof. P. Ishwara Bhat (as the then Vice Chancellor); Prof. Anirban Mazumdar (as EC and AC veteran and also as SDME Director); Dr. R. Parameswaran (as

Acting Registrar previously); Dr. Sarfaraz Ahmed Khan (as Acting Registrar later and **the secretary claimed co-architect of SDM's action with Professor Anil Kumar Mahtani**); **Ms Vaneeta Patni** (as EC and AC veteran); and Prof. Sandeepa Bhat acted in concert to engineer **an institutional cover-up** that ensured the distance education courses ran illegally without any scrutiny from EC or the AC; till the SJA exposed the scam in the 32nd AC held on 10.05.2018.

In 2017, I had written for The Statesman analysing the trend of student unrests at other National Law Universities [**Delhi University**]. One of the underlying problems that I had identified was the centralisation of power in the hands of a select few within the University administration and the pragmatic impossibility for esteemed external members on statutory bodies to micromanage affairs of the University. In such circumstances, there was good faith reliance on the internal members/ employees/ faculty members, who double up as members of these statutory governing bodies, to lay necessary information before the University authorities in the agenda files and actively participate in discussions on contentious internal issues. It is pertinent that the statutory bodies discussed the requisite approvals multiple times. **Basic statutory compliances are a matter that the aforesaid internal members of these statutory bodies EC and AC were well placed (having always known about their mandatory nature) to initiate adequately. However, it appears that the aforesaid present and former employees of the University chose to deliberately subvert information on the requisite statutory compliances to their own benefit or otherwise.**

How did statutory bodies of the University, comprising a panel of legal luminaries, not understand that WBNUJS never had any approval from the erstwhile IGNOU DEC and its successor, UGC DEB? WBNUJS also required course-specific

approvals from the UGC DEB whether the courses were run directly or in partnership with private bodies, including non-governmental organisations. As elucidated earlier, it did not matter whether the courses were offered in online, offline, hybrid mode.

THE SHAMEFUL CULTURE OF INSTITUTIONAL COVER-UPS

It is distressing to note that in all these months, the Vice Chancellor (Acting), Hon'ble Justice (Retd.) Amit Talukdar and various inquiry committees have not even posed basic questions (that I included in an RTI to WBNUJS) to the former Vice Chancellor, **Dr. Rameshwar Bhat**; his handpicked former Registrars (Acting), **Dr. Rameshwar** (presently continuing as Librarian) and **Dr. Sarada Medhan**; School of Distance & Mass Education (**SDME**) Director and veteran EC, AC and GC member, **Dr. Nirjan Maumdar**; another EC, AC veteran, Assistant Professor **Ms. Vaneeta Bhatnair**; AC member, **Dr. Sandeepa Bhat** and Assistant Registrar (Academics), **Mr. Taas Bhattacharya**?

Unless Justice Talukdar and Registrar (Acting) Ms. Sikha Sen are keen to be a sequel of Prof. Bhat's reign of maladministration and institutional cover-ups. **Why are the aforesaid present and former employees being treated with kid gloves and to whose benefit?**

For instance, I had filed four Right to Information applications to WBNUJS on 25.01.2019 [UR 00]. In response to the one pertaining to captioned subject, Mr. Pritwish Saha, the Public Information Officer (**PIO**) and a "veteran dodger of Right to Information applications", has continued with his policy of evasion. Despite several telephonic reminders and reasoned requests, he would neither give proper answers that have already been acknowledged by the 62nd EC and clearly made evident from the governing bodies' records already uploaded on the University and

SJA websites nor made available any correspondences sent to and received from the aforesaid employees. **His response dated [REDACTED] was a monumental institutional harassment or a premier law school of WBUJS state** [REDACTED]. **It is distressing to note that he is being supported institutionally by Registrar (Acting) Ms. Siima Sen and SDME Director (Dr.) Anirban Mazumdar.** On 21.02.2019, after much request and persistent follow-ups, Mr. Saha separately emailed me a scrap of paper that looks like anything but an authentic correspondence actually sent out by former Registrar (Acting), Dr. R. Parmeshwaran to the UGC DEB [REDACTED]. It does not even have a reference number! When I asked Mr. Saha for the annexures to the said “application” allegedly sent to the UGC DEB, he evasively responded *“that is not available, it will be difficult”*. The information provided earlier in this letter in tabular form was not provided by Mr. Saha vide his response, despite express requests pointing to them. I specifically mentioned minutes of the 62nd EC ([REDACTED]), which expressly mention answers to some of the questions. On being persistent, **he redirected me to Registrar (Acting) Ms. Siima Sen** I responded **back every time telling Mr. Saha that if I were to speak to Ms. Sen during my RTIs original disclosure it will make my first hearing more perambulatory to no avail**

The role of Assistant Professors, Ms. Vaneeta Patnaik and Ms. Sujata Roy appears to be equally suspect; the 63rd EC had previously tasked them to assist Prof. Anirban Mazumdar, SDME Director, to respond to all distance education related queries [REDACTED]. Thanks to Justice Talukdar and Registrar Sen’s policy of doing nothing (as doing something), WBNUJS has eight writ petitions against it (two have been dismissed last week vide a Judgment of Calcutta High Court dated 01.03.2019) and an arbitration matter against WBNUJS in Calcutta and

Delhi High Courts on the distance education matter. These ill-handled litigations have caused continuous and immense financial and reputational loss to my beloved *alma mater*, WBNUJS.

To add insult to injury, Prof. Anirban Mazumdar audaciously refused to respond to the clueless distance education students' queries regarding the suspension of distance and online education courses by simply citing "personal reasons"? Prof. Mazumdar and relevant others refuse to accept what has been sworn on Affidavit by WBNUJS before the Hon'ble Calcutta High Court – that these courses were illegally started and run; till SJA effected a stop. How can Prof. Anirban Mazumdar be allowed to continue on the University's GC, EC and AC – that too way out of turn (as highlighted in **UR**)? How can Ms. Vaneeta Patnaik be allowed to continue on the AC? How can Prof. Sandeepa Bhat continue on the AC? How can Dr. Bikramjeet De, a member of the erstwhile internal Distance Education Council (DEC), which greenlighted quite a few of these illegal courses and presently a member of the EC, be allowed to continue?

Justice Talukdar and Registrar Sen have offered no explanation for their deliberate inaction despite clear evidence against the guilty employees named above. Why have they not sought explanations from Prof. Anirban Mazumdar; Ms. Vaneeta Patnaik (on her directorship in Effulgent Educators LLP and the unauthorised CFRGS, which she claims to head); and Prof. Sandeepa Bhat till date? **Such disheartening conduct from the University to officials reeks of the very same culture of corruption and institutional cover-ups that have caused student unrest in the past.** My word – ease be – end it. Following are my humble:

□R□Y□RS

Former Vice Chancellor, Prof. P. Ishwara Bhat; SDME Director, Prof. Anirban Mazumdar; former Registrars (Acting) Dr. R. Parameshwaran and then Dr. Sarfaraz Ahmed Khan; Assistant Professor, Ms. Vaneeta Patnaik; and Prof. Sandeepa Bhat are squarely liable for the aforesaid illegalities. They sought to not only tarnish WBNUJS' reputation, but also to risk its very recognition as an academic institution.

It is my humble plea that:

- (a) these individuals be departmentally punished appropriately for wilful and gross dereliction of duty and professional misconduct;
- (b) they along with other gravely incompetent employees such as Dr. Bikramjeet De and Assistant Registrar (Academics), Mr. Tapas Bhattacharya ought to be permanently banned from all University governing bodies (including, but not limited to, GC, EC, AC and FC);
- (c) Prof. P. Ishwara Bhat; Prof. Anirban Mazumdar; Dr. R. Parameshwaran; Dr. Sarfaraz Ahmed Khan; Ms. Vaneeta Patnaik and Prof. Sandeepa Bhat be directed to financially indemnify WBNUJS for all its direct and indirect expenses, which are a result of the distance education scam perpetrated by them; and
- (d) unequivocal directions be issued to the University for their prosecution to the full extent of the law according to the appropriate provisions of the Indian Penal Code, 1860.

Forever indebted for your invaluable time and kind attention.

Yours faithfully,



□r□□n □□arwa□

B.A. LL.B. (Hons.), WBNUJS
Advocate, New Delhi



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STUDENT JURIDICAL ASSOCIATION

Date: May 9, 2018

To

The Hon'ble Academic Council

The WB National University of Juridical Sciences

Kolkata- 700098

SUBJECT RESOLUTION OF THE ACADEMIC COUNCIL ON THE MATTER OF

THE ACADEMIC COUNCIL

Hon'ble Members

We humbly write to you on behalf of the student body to bring forth the following submissions for your kind consideration:

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ISSUE RELATING TO DEDUCTIBLE EXPENSES ON

SURVEY REPORT

The agenda notes of this, the 32nd meeting of the Academic Council, seem to deliberately suppress/misstate many crucial facts on this agenda item. Before delving into the assertion of this suppression, we must refresh our memory on the correct and full chronology of events so far:

On **15th July** **2016** Ms. Shreyashi Ray of the 2016 B.A. LL.B. (Hons.) batch submitted her Child Rights and Law written submission/project to the Assistant Registrar (Academics) (**AR Academics**) and Ms. Ruchira Goswami (**the subject teacher**). [**15th July 2016**]

On **15th July** **2016** she informed the relevant authorities about the change in her contact email address to shreyashi.ray@nludelhi.ac.in and clarified that she would no longer be using her previous Gmail/nujs.edu email accounts any further. [**15th July 2016**]

Thereafter, she met the relevant subject teacher physically and informed her that she had submitted her project; and told her the NLU Delhi email address that she had forwarded her project from.

On **16th November** **2016** (2011-2016 batch convocation ceremony); she came to NUJS with the reasonable expectation that she would be awarded her degree certificate along with the rest of her batchmates. She was informed that the marks obtained by her in 'Child Rights and Law' have not been submitted to the AR (Academics) and NUJS would not be awarding her her degree certificate on that day. She was asked to re-send her project.

On **16th November** **2016** she re-sent her Child Rights and Law written submission/ project to AR (Academics) and the subject teacher for their convenience. [**16th Nov 2016**]

On **16th Nov** **2016** the AR (Academics) communicated her results for 'Child Rights and Law' to her, with a break-down of marks for every component. [**16th Nov 2016**]

On **16th Nov** **2016** the AR (Academics) sent her a scanned copy of a faulty provisional certificate which incorrectly stated '2017' as the year of graduation. [**16th Nov 2016**]

On **16th Nov** **2016** she applied to the then Vice Chancellor, Prof. P. Ishwara Bhat (**the then VC**) to effect a formal change in her provisional certificate because her

year of graduation was incorrect, and this mistake was caused solely due to the delay, negligence, and irresponsible conduct on NUJS administration's part, with absolutely no fault of hers. As a result, the then VC agreed that the year should be changed to 2016 and directed appropriate action. [REDACTED]UR [REDACTED]

On [REDACTED]st [REDACTED] [REDACTED] after multiple efforts on her part, AR (Academics) sent her a scanned copy of the corrected version of her provisional certificate dated August 16, 2017 and signed by the Registrar (Acting); which stated 2016 as her year of graduation.

[REDACTED]UR [REDACTED]

On [REDACTED]an[REDACTED]ary [REDACTED] [REDACTED] she went to NUJS to collect her final degree certificate after completing the official formalities and payments. She then noticed that her final degree certificate says that her year of graduation is 2017. Not only was this a result of grave and wilful negligence on part of NUJS (there is a mismatch between her provisional and final certificate), but it was also a source of gross injustice and harassment for her. She immediately spoke with the AR (Academics) since the then VC was not available on campus at the time, and she was promised by the AR (Academics) that a corrected certificate (which says that she graduated in 2016) will be sent to the Hon'ble Chancellor, the Chief Justice of India for his Lordship's signature and subsequently be couriered to her.

On [REDACTED]an[REDACTED]ary [REDACTED] [REDACTED] she sent an email to the then VC with details of this communication.

[REDACTED]UR [REDACTED]

On [REDACTED]an[REDACTED]ary [REDACTED] [REDACTED] she emailed the Registrar (Acting) to seek updates on the matter; she received no response. [REDACTED]UR [REDACTED]

On [REDACTED]an[REDACTED]ary [REDACTED] [REDACTED] she contacted the then VC's office again to seek updates, and she was informed that the then VC would be meeting the AR (Academics) regarding this issue. She followed this up over telephonic communication after a week with the AR (Academics), and was again informed that the promised process was still underway.

On [REDACTED]e[REDACTED]r[REDACTED]ary [REDACTED] [REDACTED] she received an email saying that the then VC had directed on February 20, 2018 that this change could not be effected. The alleged grounds cited in the email were that she had not submitted her project before the 2016 convocation (an allegation which is completely absurd and incorrect), and that her results for Child Rights

and Law were published in 2017 (which was occasioned due to delays solely on part of the NUJS administration/the concerned subject teacher or both). [□□□□UR□ □□]

On **Marc**□ □□□□□ she wrote to the then VC once again, placing all facts and evidence on record, requesting him to look into the matter and take an appropriate decision. [□□□□UR□ □□]

On **ri**□□□□□□ she was forced to take leave from work and travel to Kolkata from New Delhi, to make one final attempt at rectifying the issue. The then VC was not available until April 6, 2018 to meet her.

On **ri**□□□□□□ she again put forward the entire issue and all abovementioned details before the then VC, the Registrar (Acting), and the AR (Academics). Although initially she was told that the matter would be resolved on that very day, and the Hon'ble Chief Justice of India will be sent a letter intimating the facts of the matter and requesting his Lordship's signature on the corrected certificate; the mentioned office-bearers deferred the decision till the next Academic Council meeting. The AR (Academics) sent her an email to formally communicate this deference. [□□□□UR□ □□]

On **ri**□□□□□□ she presented her case before the Hon'ble Executive Council (□C) during its meeting. The Hon'ble EC unanimously agreed that administrative delays ought not to hamper her prospects when there is no fault on her part. They orally recommended presenting the matter before this Council on an urgent basis, so that the year of graduation on her degree certificate can be changed to '2016' as soon as possible.

Having stated this, it becomes amply clear that there is an attempt to suppress the following crucial facts from being duly informed to this Council pending a decision on the issue. The following statement in the relevant agenda notes clearly shows such an attempt:

*"Ms. Shreyoshi Ray could not be conferred degree during the Convocation **as she could not clear one of her subjects "Child Rights & Law"** – taught by Ms. R. Goswami. Subsequently **she cleared her subject** of Child Rights and Law **in March 2017** (result received from the course teacher on 10.03.2017 and it was published on 10.03.2017 - attached as Annexure 2)."*

This statement gives an impression that, without any fault on part of anyone

whatsoever, somehow Ms. Ray managed to “clear” the paper only almost a year after her last semester’s examinations. This is entirely incorrect because:

first, Ms. Ray had submitted her written submission/project on **01st July 2016**, and effectively completed all the components of ‘Child Rights and Law’. **01st July 2016** clearly shows that the then VC accepted that the her year of graduation, i.e., **2016** must be considered as the ‘year’ for “clearing” the requisite papers. However, to our utter shock, this **relevant date**, July 15, 2016, finds no mention whatsoever in the agenda note presented to the Academic Council for this meeting. Rule 38, Academic and Examinations Rules, 2012 (**Academic Rules**) stipulates that the concerned subject teacher shall submit the full and final result “**within one month**” to the AR (Academics) section. This **onest mainst delay between 01st July 2016** (or, accounting for this one month period, August 15, 2016) and **Marc^h 2017** has been conveniently omitted;

second Ms. Ray completed all the components of ‘Child Rights and Law’ in due time and well before November 12, 2016 when the convocation ceremony for her batch (2011-2016) was held;

third, after she was denied her degree certificate on the 2016 convocation ceremony, she re-sent her written submission/project on November 16, 2016. Even after this, her results were published only on March 10, 2017. Therefore, there was a delay of about 8 months since the original submission, and 4 months since she re-sent her written submission, until her results were published by the AR (Academics) on March 10, 2017;

fourth, her Child Rights and Law results which were sent to her by the AR (Academics) on March 10, 2017, with a breakdown of all the assessment components, clarified that even without the written submission/project component, she had scored fifty (50) marks and hence scored pass marks for the course. In effect, Ms. Ray deserved at least her provisional degree certificate even without consideration of her written submission/project component as the said certificate merely certifies that she “has successfully passed all 50 subjects”. Yet, this provisional degree certificate too was unexplainably denied to her till **01st July 2017**.

fifth, the year of passing on her provisional degree certificate is stated as 2016 with

due approval from the then VC, because the 8 month delay in the publication of results was a result of solely the administration's negligence. However, while sending final certificates to be signed by the Hon'ble Chief Justice of India and awarded at the 2017 annual convocation ceremony, the AR (Academics) failed to ensure that her final degree certificate mentions '2016', and not '2017', as her year of graduation.

Therefore, it is abundantly clear that the final degree certificate awarded to Ms. Ray should state '2016' as her year of graduation, since her Child Rights and Law result was published in March 2017 solely due to grave negligence on part of the administration. **Owing to the fact that her degree certificate currently states 2017 as her year of graduation whereas she started her B.A. LL.B. course in 2016 and started working as a professional in 2017 she has been hindered from applying to institutes of higher education or enrolling as an advocate. The current certificate is likely to mislead selection committees or future employers into thinking that she required 3 years to complete a 3-year course. Unless the relevant change is effected on her degree certificate at the earliest she will face adverse consequences in terms of career and higher education prospects due to no fault on her part.**

We, therefore, request that this Council resolve in favour of Ms. Ray so that appropriate steps, including the correction of records, are initiated on an urgent basis, and she is awarded the corrected final degree certificate – signed by both the Hon'ble Chancellor and the Vice Chancellor – at the earliest without further jeopardy to her career prospects.

A larger problem?

This instance also points to the larger problem of this University administration's terrible record at publication of results, and its complete disregard for Rule 38 of Academic Rules. In the past few semesters, the SJA has persistently pointed out the seemingly unsolvable problem of respective subject teachers not complying with this Rule 38.

An illustrative chart of the outgoing 2018 batch's result delays is reproduced below:

Semester	Last date of end semester examination	Date on which results were declared DDMMYY	Number of Days
Winter (Semester IX)	30.11.2017	17.01.2018 (Part Results only)	49 days
Winter (Semester VIII)	24.04.2017	16.06.2017	54 days
Monsoon (Semester VII)	06.12.2016	24.01.2017	48 days
Winter (Semester VI)	26.03.2016	31.05.2016	66 Days
Monsoon (Semester V)	16.10.2015	16.12.2015	61 Days
Winter (Semester IV)	11.04.2015	04.06.2015	54 Days
Monsoon (Semester III)	24.11.2014	13.01.2015 (Part Results only)	50 Days
Winter (Semester II)	30.04.2014	21.06.2014	52 Days
Monsoon (Semester I)	19.12.2013	14.02.2014 (Part Results only)*	57 Days

*The result for Socioooy I t a t y Ms R c i r a oswami was declared on 14.02.2014 a day before the commencement of the Winter Semester examinations and over a 57 days late

The first-ever University Review Commission report (URC), authored by **Prof. Dr. Manoj Kumar** (Chairperson), Former Director of National Judicial Academy, Bhopal, and National Law School of India University, Bengaluru; **Prof. Dr. Rajan M. S. (Member)**, Vice Chancellor, NALSAR University of Law, Hyderabad, Telengana; and **Prof. Dr. Manoj Kumar** (Member), former Head of Physics Department and Dean, Faculty of Sciences,

University of Jammu, Jammu, also expressed deep concern regarding this:

“Examination results are not declared in time. Even convocations are delayed. The 2017 batch will only get their degrees by December 2017. The administration complains that the cause of delay is that faculty does not hand in corrected answer scripts. They plead helplessness to correct this.”

To address Ms. Ray's issue and solve this larger problem so as to avoid similar unexplainable and unjust situations in future, we list out the reliefs sought by us in our ☐ **REQUESTS** listed at the end of this petition ☐

INDIAN DISTANCE EDUCATION AND OPEN COURSES AT WU

A Brief History of Regulation

The establishment of Indira Gandhi National Open University (IGNOU) is considered to be a landmark development in the field of distance education in the country (*Report of the Committee to Suggest Measures to Regulate the Standards of Education Being Imparted through Distance Mode – chaired by Prof. N R Madhava Menon, founding Vice Chancellor of this institution and submitted to the Ministry of Human Resource Development, Government of India, p. 12: NRM Report on Distance Education*). Earlier, IGNOU's erstwhile Distance Education Council (DEC) did, in part, regulate distance education through online mode.

The Hon'ble Supreme Court of India in *Annamalai University v. Information & Tourism Deptt.* [(2009) 4 SCC 590] held that regulations framed by the University Grants Commission (UGC) to determine standards of education are a part of the UGC Act, 1956 and are applicable to both open universities and formal universities (¶42). The IGNOU Act, 1985 was held to be in addition and not substitution of UGC Act or the regulations/norms framed thereunder (¶42). Differentiating between the power to regulate standards of education bestowed upon the UGC and the supplementary duty of the erstwhile DEC of IGNOU to additionally regulate education imparted through the distance learning mode, the Court held and clarified that there can be no relaxation on the "basic things" necessary (referring to the relevant UGC regulations and norms) for conferment of a degree (¶¶ 40 – 41, 57 – 59).

Progressive Development of Present UGC Regulation

Subsequent to the NRM Report on Distance Education, on **May 2009**, the UGC issued a letter to Vice Chancellor of all Universities iterating that the DEC of IGNOU had been dissolved, and the UGC had been entrusted with "all the regulatory responsibilities" of the Open and Distance Learning (ODL) education system by the Ministry of Human Resource Development, Government of India (MHRD). [UNUR ¶]

On **1st June 2009**, the UGC issued a notification adopting the 'Guidelines of DEC on Minimum Requirements for Recognition of ODL Institutions' (DEC guidelines) of the

erstwhile DEC. It further stated that the said notification shall cease to have force upon coming into force of any prospective UGC guidelines on the subject matter. [□□□□UR□ □□]

On **September** □□□ □□□□, the UGC sent another letter to all Vice Chancellors prescribing guidelines for development grants from UGC for distance education programmes for both State Open Universities (**SOUs**) and Distance Education Institutions (**DEIs**) of formal Universities. [□□□□UR□ □□]

On **October** □□□ □□□□, a public notice was issued by the UGC advising students desirous of pursuing education through ODL mode to check the status of approval/recognition of programmes of Universities/Institutions on the UGC website at www.ugc.ac.in/deb. Such prospective students were further advised to not take admission in any Study Centre offering the course outside its “Territorial Jurisdiction” and advised Universities/Institutions to operate themselves within their respective territorial jurisdiction only in accordance with the relevant UGC norms. [□□□□UR□ □□]

On **January** □□□ □□□□, the UGC issued another public notice reiterating the abovementioned contents from its earlier public notice dated **October** □□□□□□□, in addition to referring back to an earlier public notice dated **June** □□□□□□□, concerning UGC’s policy on territorial jurisdiction in line with the dictum of the Hon’ble Supreme Court of India, as laid down in the 2005 judgment in *Prof. Yashpal v. State of Chhattisgarh*. [□□□□UR□ □□]

In **May** □□□□, the UGC initiated a second phase of applications for UGC recognition of Institutions/Universities offering education through ODL mode in the prescribed pro forma by **May** □□□□□□□. [□□□□UR□ □□]

On **August** □□□□□□□, UGC sent another set of letters to UGC approved institutions offering education through ODL mode. **While many other National Law Universities are on this list of recipient institutions, interestingly, UGC remains curiously missing.** Another letter was sent on **October** □□□□□□□ instructing Universities to display information regarding 14 heads of information of ODL programmes stated therein on respective University websites within 15 days. [□□□□UR□ □□□□□□]

On **May** □□□□□□□, the abovementioned progress culminated in the notification of UGC

(Open and Distance Learning) Regulations, 2017 (**Regulations**) and supersession of the DEC Guidelines. The Regulations were set to be operationalised for the year 2018-19.

[URs]

Subsequently, on **February** , UGC (Open and Distance Learning) Second Amendment Regulations, 2018 were notified. [UR]

Recently, on **March** , the UGC issued yet another public notice, and its operational parts are reproduced hereinunder: [UR]

“UGC invites online applications from all eligible Higher Educational Institutions (HEIs) for offering ODL programmes from the academic session beginning in July, 2018. **The online portal for submitting applications shall be open from 1st April to 31st May** The duly certified hard copies of the application submitted through online mode along with annexures shall reach UGC (DEB) office at 35, Feroze Shah Road, New Delhi-110001 within 10 working days of submission of online application. For further details/updates, HEIs are requested to visit the UGC-DEB website at <https://www.ugc.ac.in/deb/>

It may be noted that HEIs, who have earlier submitted applications for recognition of their ODL programmes for the academic session beginning in July, 2018, during July-October 2017 are required to apply afresh. In this regard, UGC has also issued a detailed Public Notice vide F. No. 74-8/2017 (DEB-IV) dated 21.02.2018 which can be accessed at [https://www.ugc.ac.in/pdfnews/ 5667049 ODL-Public-Notice.pdf](https://www.ugc.ac.in/pdfnews/5667049%20DL-Public-Notice.pdf).”

The State of ODL Programmes in the University and the Unjust Allocation of its Burden on Full-time Students

An email forwarded by **Dr Anirban Chakraborty**, Assistant Professor (currently on lien to Maharashtra National Law University, Nagpur where he joined as an Associate Professor) to all faculty members, and specifically Prof. (Dr.) Anirban Mazumdar, Prof. (Dr.) Sandeepa Bhat and the then VC on **1st April** is noteworthy in this regard, and states [UR]:

“I have mentioned in the past that some profit oriented entrepreneurs are exploitin

NUJS brand name and the agreements require to be immediately stopped now I am attaching public series. If the matter is ignored further, I am sure that it is not far when NUJS will be dragged to Court for this. In public interest and for the sake of NUJS brand reputation it is my appeal please act on this matter with some urgency or the University will suffer permanent damage to its reputation."

A recent comment by a present student (on condition of anonymity) who is regularly engaged by relevant faculty members for drafting study material for some such ODL programmes is reproduced verbatim hereinunder:

"In the past few years, NUJS has been churning out distance learning programs at an unprecedented pace. These programs are being turning up on any and every topic. While the preparation of course material is outsourced to the students, it is often done without clear guidelines or even a broad structure. For course material, students often collect legal principles from a wide variety of sources, including random blog posts on the internet. While some of it is paraphrased, most of it is directly copied from these sources. In most cases, these collections are approved by the faculty advisor despite *prime facie* errors. The resultant course material is an undecipherable mesh of legal provisions riddled with inaccuracies. Given the state of the course material, the people opting for the Distance Education Programs from NUJS are much better off with a simple Google search.

Yet, the quality of the material is commensurate with the monetary compensation awarded to students for drafting them. Compensation ranges from INR 3000 to INR 10,000 depending upon the amount of assignment undertaken. From personal experience, one accurate and comprehensive module within the course material requires at least 100 hours of cumulative work including researching, drafting and editing. Typically, the compensation for one entire module is INR 5,000. This translates to less than INR 50 per hour. Part-time employment at the nearby KFC offers higher compensation.

Further, total compensation awarded for preparation of the course material is INR 10,000. INR 10,000 fee charged for the course is INR 10,000 per learner.

Therefore it appears the entire business model for the U.S. Distance Education Program is

Step 1. Set a course at minimal cost irrespective of quality

Step 2. Leverage U.S. name to charge the maximum amount from the fee

Step 3. Once fee is discovered the shoddy quality of the course, create a new course on a new topic

In my opinion, U.S. should be prohibited from offering Distance Education courses until such time that its quality can be guaranteed to avoid further reputational loss and potential litigation against the University.”

The highly respected members of the URC, including Prof. Mustafa, a sitting member of this Council, also expressed serious concerns in this regard in their report dated October 2011:

“Encouraging Quality in Academic Innovation and Academic Excellence

Campus Academic Value Addition to students

viii. Quality of academic governance systems (including appeal, grievance and redress mechanisms).

116.

...

The University has introduced more than 100 Diploma Programmes in the last five years. This has however not been accompanied by increase in faculty strength. This has resulted in increase in teaching load for faculty. In fact, some faculty Members have spent more than 10 teaching hours in a year just on multiple diploma programmes. This has severely cut time available for research and also undermined the quality of teaching due to scarcity of time for preparation. Therefore, it is essential that faculty size be increased to meet the teaching workload of the PG Diploma Programmes and that new PG Diploma Programmes be introduced only after consideration of available faculty for the programmes.

...

Encouraging Quality of Management and Administration

Management Failure

132. The core issue facing NUJS today is a failure of management and administration of a very large scale. The Commission received a flood of complaints. Some of the complaints received are set out here to illustrate the depth of the management failure we encountered (many of the points below are noted elsewhere in the Report as well).

...

- Teacher-student ratios are at a historic low and students are not receiving adequate individual attention.
- Even though there is a severe shortage of faculty, new programmes are being started without adequate academic resources.
- The undergraduate programme is suffering from grievous neglect.

...

Part III Summary of Recommendations Submitted to the Hon'ble Chancellor on Faculty Strength to Improve Student-Teacher Ratio

7. We recommend that a plan be developed urgently to increase the NUJS faculty size to a strength of at least 80, appropriately distributed between various levels of seniority as needed for teaching and research. The faculty requirement should be drawn up based on training and research strategies to be drawn up by the Teaching Dean and a Dean be in charge of Strategy and Planning.

It is essential that faculty size be increased to meet the teaching workload of the Diploma programmes and that new Diploma programmes be introduced only after consideration of available faculty for the programmes."

A Tale of Persistent Violations?

Despite all abovementioned public notices, letters, notifications, the list of Institutions/Universities authorised to impart education through ODL mode as reflected on UGC website as on May 8, 2018 does not include the name of NUJS. On the other hand, NLSIU (Bangalore) and NALSAR (Hyderabad) – which are comparable institutions, feature on the list. [Annexure II]

Among multiple other violations, one of the most startling violation of the presently

applicable Regulations is the pre-requisite for application to obtain valid UGC recognition encapsulated under Regulation 3(1)(viii) requiring the applicant Higher Educational Institution to have valid accreditation from National Assessment and Accreditation Council with minimum Cumulative Grade Point Average of 3.26 on a 4 point scale. Another pre-requisite for application to obtain UGC approval is with respect to the territorial jurisdiction as specified under Regulation 3(1)(ii) read with Annexure 4 thereunder.

Again, NLSIU and NALSAR appear to be compliant with all such Regulations and the preceding requirements as set out under abovementioned UGC documents . [REDACTED] **Annexure 26 is highly abridged owing to its humongous size – 281 pages**

Mr. Ramanuj Mukherjee, Chief Executive Officer, iPleaders – one such organisation having sought legal advice from a “reputed” law firm, recently (REDACTED) wrote to Prof. Mazumdar since he is the Director of School of Distance & Mass Education of NUJS, stating [REDACTED]:

“We had recently approached a reputed tax advisor in Delhi to ask about the current applicability of GST law on courses offered by U.S in which iPleaders is a service provider. We have been advised that U.S has to pay GST on these courses in which there may be severe penalties. They also presented us with case laws that stipulate that courses such as those offered by iPleaders that are not recognized by UGC, CICT or such other statutory body which recognize various courses, are to be treated differently than courses that are recognized as a qualification by such bodies. **Universities will have to pay GST on such courses.**”

On one level, this excerpt conclusively establishes that at least iPleaders’ courses are not compliant with the abovementioned UGC norms and the latest Regulations. But, on another, **it raises the following broad and very serious questions**

- How did the University even allow for such blatant and continued violation of the law of the land to the detriment of not the institution's own reputation and public interest
- Who are the true beneficiaries of these retraction associations with private

players such as leaders, Ms. Government educators and Directors, Sidney Foundation.

- What if any is the justification of continuing such associations?
- Who if anyone is responsible from within the University for consciously or negligently allowing such associations to go on or to exist in the blatant violation of the law of the land?
- Why is UES so unaware of its own responsibilities that its private partners such as leaders have to advise them about persistent violation of the relevant provisions of Goods and Services Tax Act and ST?

Before listing out a more comprehensive and slightly more nuanced but unexhaustive list of questions, let us first consider:

The University Administration's Role

A perusal of some of the available statutory body documents seems to suggest that there has been a deliberate attempt on part of at least some employees in the University administration to seek and obtain internal approvals for these courses without full (or any) disclosure of any information or even the basic law governing the implications of such approvals from the relevant decision-making bodies. It also seems that the relevant statutory bodies, i.e., the Hon'ble General Council, EC, Finance Committee (FC) and this Council have all been kept in dark about the illegalities which have allowed the continuance of all these courses.

The EC, in its 54th Meeting held on February 2014, under Agenda No. 18 approved the establishment of School of Distance & Mass Education, in supersession of the erstwhile Distance Education Council of NUJS approved "long ago" by this Council. Due to the inaccessibility of the relevant documents of such earlier Council approval despite several and unjustifiably long-pending Right to Information applications, and continued and conscious violation of mandatory disclosures under Section 4, Right to Information Act, 2005, (illustratively check [UR](#)), it is difficult for us, as students, to determine the exact composition, role or history of this erstwhile Distance Education Council. However, as

for the present School of Distance & Mass Education, the EC minutes of the said meeting reflect that (possibly) in addition to the duties of this erstwhile Distance Education Council, the said School would also discharge the administrative function of maintaining “all records pertaining to Degree, Diploma, and Certificate Courses conducted in Distance Mode or Online or Contact or Evening/Weekend Classes” which were previously maintained by the Office of the AR (Academics).

Earlier, the EC minutes for its 43rd Meeting held on **11th June 2018**, under Agenda No. 10 reflect the resolution that a “Directorate of Distance Education” shall be formed and the “earlier body created for such purpose [be] merged into the new directorate”.

In these circumstances, the understated questions are, as they should be, directed to all past members of the erstwhile “earlier body”/Directorate of Distance Education/Distance Education Council or any other body entrusted in the past with any such duties, the Office of the AR (Academics), all the past and present members of the School of Distance & Mass Education of NUJS, any employee of the University involved in coordinating with the relevant private/external organisations partnering with NUJS and all relevant past and present members of this Hon’ble Council.

Questions

As stated in the **letter by Mr. Anand Ranjan Banerjee** in his letter to the Chancellor, Hon’ble Chief Justice of India (reproduced on pages 22 to 24 in the agenda of the present meeting) and dated **September 2018**, the present state of ODL programmes offered by NUJS is abysmal and their concept and execution is antithetical to the spirit of our beloved institution. An unexhaustive list of questions, partly derived from those on page 25 of the present agenda file, are reproduced hereinunder:

- **Without basic compliance with the applicable UoC norms how and why did NUJS enter into agreements with private for-profit providers such as Rainmaker Leaders Management Educators et al?**
- **Who negotiated on behalf of UoC and how were the agreements drawn up?**
- **How were the partners such as Rainmaker Leaders Institutions selected? What?**

any verifiable criteria was used to select them

- What transparent methodologies were used to decide the brand value of UoS and the profitability ratio? In other words, it doesn't even matter if the ratio is now made positive or a greater percentage flows into the University's coffers. The moot point is how these ratios were arrived at in the first place.
- If the University is receiving a healthy cash flow despite a negative share, and the courses are in good demand, then why haven't those been offered to re-equip the institutions and M students?
- Why hasn't UoS offered these courses directly under its own banner?
- What has the administration done thus far and starting when, if any, in order to become compliant with UGC Regulations and preceding norms governing education through the ODL mode?
- With the faculty staff involved in steering these dodgy agreements with no knowledge of non-compliance with UGC Regulations and preceding norms and ST laws, the legal responsibility to indemnify the University against already incurred notional loss and any future loss on account of potential litigation and penalties?

Tip of the Iceberg?

A bare perusal of some recent Annual Reports reveals the following information regarding the approval/proposed approvals for ODL courses, without making any mention whatsoever of any applicable laws, including, but perhaps not limited to, Regulations, preceding UGC norms, DEC Guidelines, applicable GST. Similarly, Annual Report for 2015-16 curiously makes no mention of Dillon Kidney Foundation. An illustrative chart is hereinunder:

S. No.	Name of the Course	Partner/Sponsor	Document Date Meeting as agenda item
1	PGD in Business Laws	Larsen & Toubro	Annual Report 2008-09; 2010-11 (course initiated)

2	PGD Air & Space Law	NA	32 nd EC meeting on May 8, 2010 (proposal mentioned); Annual Report 2011-12 (approval mentioned)
3	PGD in Commercial/Business Law (distance education mode specifically mentioned)	Rainmaker	34 th EC meeting on January 8, 2011 (approval mentioned)
4	PGD in Human Rights	UGC	Academic Council on August 26, 2011 (approved); 36 th EC meeting on 27/08/11 as AA2 (approved)
5	Diploma on Legal & Administrative Issues in Entrepreneurship	iPleaders	35 th EC meeting on April 30, 2011 AA1A (decision deferred)
6	PGD (Executive) in Business Management & Law	IIM Shillong	Annual Report 2011-12 (proposal initiated); AC on August 28, 2011 (approved); 36 th EC meeting on August 27, 2011 as AA1 (approved)
7	PGD in Nuclear Law	Atomic Energy Commission	38 th EC meeting on March 3, 2012 (approved); AC on March 3, 2012 (approved)
8	Master in Business Laws (MBL)	Private partner but information unclear	39 th EC meeting on July 14, 2012 as AA3
9	Several unnamed diploma courses in distance mode	Private partners involved but information unclear	39 th EC meeting AA4 on July 14, 2012. No reference made to AC.
10	MA in Business Law	Private partner but information unclear – <u>similar course known to be offered by iPleaders</u>	AC meeting on April 22, 2017 as A6
11	PGD in International Relations, Law & Politics	NA	AC meeting on April 22, 2017 as AA1

12	PGD in Child Rights	UNICEF	AC meeting on April 22, 2017 as AA2
13	Certificate in Child Rights & Protection	UNICEF	AC meeting on April 22, 2017 as AA3
14	PGD in Real Estate & Land Laws, Benami Transactions & Debt Recovery	Effulgent Educators	AC meeting on April 22, 2017 as AA4
15	Certificate in GST	Information unavailable	AC meeting on April 22, 2017 as AA7
16	PGD in Industrial & Commercial Law	HPCL	89 th FC meeting on August 29, 2017 makes a mention but approval date elsewhere unavailable

What can and should be done now?

As for **iPleaders**, we, the students, have been unable to access the relevant agreement between the University and iPleaders. However, in addition to **UR**, we must consider the fact that in their application form itself, candidates are required to declare that they are “aware that this [or any, for that matter] course is not recognised as a distance education course by the distance education council of UGC”. [**UR**]

This Hon’ble Council is fully aware that private individuals entering into such contracts (including applicants to iPleaders’ courses) cannot (even voluntarily) waive of legal requirements for the valid conferment of degrees, diplomas *et al.* The Hon’ble Supreme Court of India dictum in *Annamalai University v. Information & Tourism Deptt.* [(2009) 4 SCC 590] clearly states that such UGC requirements cannot be waived under any circumstances (¶¶ 40 – 41, 57 – 59).

In light of the foregoing there is no reason for U.S to continue with its association with iPleaders after an immediate review of and subject to the relevant contract’s terms.

As for our other partner, **Dions Sidney Foundation**, with which NUJS executed its present Memorandum of Understanding on **December 2017 (MoU)**, the following

clauses are relevant:

- Clause 2.6: The Foundation agrees to comply with the statutory requirement and follow the law of the land and not do anything in (*sic!*) contrary thereto in the course of conducting the said PG Diploma Course on Public Healthcare & Medical Laws (PGDPML).
- Clause 11.1: Either of the parties shall reserve the right to terminate the Agreement with due notice if:
 - either of the parties violates any of the terms and conditions of this [the] agreement;
 - either of the parties comes to know of wrong and fraudulent practices; and

...

Therefore this MoU must be immediately terminated even if it results in potential litigation by Di'ons Kidney Foundation since summarily

(a) there is no possibility of a court decree requiring U.S. to provide specific performance since the MoU as per its Clause 11.1 is clearly determinable under Section 115 of Specific Relief Act;

(b) potential litigation by applicants past/present or future on account of countless statutory violations of U.C's Regulations puts U.S's reputation and monetary resources in far greater jeopardy than potential litigation by Di'ons Kidney Foundation; and

(c) since a GST rate of 18% is applicable on each and every OD course offered by U.S. any such continuance will attract progressively incremental liability and penalty in addition to the already overdue GST

Lastly, all remaining OD courses offered by U.S. in any capacity directly or in partners must be suspended immediately and any associations with any external partners and terminated at the earliest possible

DRIVERS OF OVERDUE ACADEMIC REFORMS

Over the past few years, especially since the formation of the Academic Reforms Committee (ARC) under the student body in 2014 *vide* amendment to its Constitution dated November 25, 2014, the student body has persistently been presenting suggestions to introduce additions and reforms to the Academic Rules. However, even before that, since January 2014, several suggestions were made to the University which were subsequently debated and approved by the faculty [UR 1]. These were supposed to be notified and implemented by the then VC expeditiously [UR 1]. However, years later, these changes have not been implemented.

Specifically, the reforms approved by the faculty, yet to be implemented by the then VC through an Officer Order are:

- a) Mandatory circulation of a statement of factors considered for evaluation at the time of submission of marks for End Semester Examinations-akin to a Model Answer Key [UR 1].
- b) Mandatory circulation of guidelines on expectations on projects and End Semester Examinations in the beginning of any given semester [UR 1].
- c) Mandatory written feedback on term paper or projects [UR 1].
- d) Abolition of class participation marks for compulsory courses and limitation of class participations marks to a maximum of 5 marks for elective courses [UR 1].

These concerns, especially points a), b) and c), from basic best practices followed around the world and are very important to ensure that students receive basic feedback and accountability on academic evaluation standards. It is a basic expectation from the University administration to ensure transparency to maximise students' academic experience, which is why the ARC and the faculty agreed to these reforms after due deliberation. Unfortunately, as stated above, these reforms have not been formalised till date.

The most recent proposal to amend the Academic Rules was tabled before this Council in its meeting dated **1st** . The Council, in turn, formed a Sub-committee

– comprising of Mr. Arup Poddar (Chairperson), Mr. TVGNS Sreenivasulu, Mr. Anirban Mazumdar, Ms. Vaneeta Patnaik and Ms. Anupama Ghoshal which approved of most of the amendments proposed by the ARC and submitted a final report sometime in early March

[URC]. They unconditionally accepted, among ‘other things’,

- model-answer key (a) above; entry 11 – proposed Rule 31A);
- advance publication of project evaluation criteria and optional project consultation (b) and c) above; entry 7 – proposed Rule 8A); and
- abolition of class participation component from compulsory courses and restriction to a maximum of 5 marks in elective courses – subject to students’ opinion – which clearly is in favour of the proposal (d) above; entry 5 – proposed Rules 6.3.1. and 7.2.1).

The URC also notes in this regard:

“116.

...

In the absence of corrective action from the administration, students formed an Academic Reforms Committee and put together detailed proposals for reforming the prevalent Academic and Examination Rules. Their proposals have not been acted upon.

...

Every member of Faculty should be required to give written/emailed comments on project papers to every student. Answer key/Criteria used for evaluation must be shared at the time of declaration of results. The same shall be discussed at an Open Session.”

In light of an unexplainable delay of multiple years, **these changes must be effected in this very meeting with the student council and online project consultation mandatory.**

The “other things” accepted by the Sub-committee are reflected as entries [redacted]. **These must be effected in this meeting as well.** Additionally, entry 2 was also accepted with a curious addition of a proposal envisaging incentive system for extra attendance beyond the stipulated requirement. This unsolicited additional proposal was never discussed with the student representatives and hence must be considered only after due consultation with the student body. However, **entry 1 must be accepted in the**

originally proposed form or now.

THE STUDENT JURIDICAL ASSOCIATION'S RECOMMENDATION

The students' unconditional support Recommendation, which must be adopted in line with instructions of the Hon'ble Supreme Court of India (page 98 of the present agenda).

THE STUDENT JURIDICAL ASSOCIATION'S REQUEST TO THE ACADEMIC COUNCIL ON ITS FUTURE MEETINGS

The URC has also recommended a non-voting invitee status to the elected President of the Student Juridical Association in the General Council of the University (Part V's RECOMMENDATION No. 23) to help re-build students' trust in the administration. Given such a position has been recommended for the student representative in the supreme decision-making authority of the University as per the statute, namely, the General Council (S. 9, WBNUJS Act, 1999), it is our humble submission that a similar non-voting invitee status be accorded to the elected student representatives (ideally, both the President and the Vice President) in the Academic Council as well.

Students already carry out such representative functions in the University Building Committee and Library Committee with utmost sincerity and diligence. It has led to greater transparency in the working of the University and improved the efficiency of decision-making of these Hon'ble bodies through constructive first-hand inputs from the primary and most numerous stakeholders.

Since granting a non-voting invitee status to the student representatives would require only a resolution to that effect being passed by the Council, we humbly request your urgent and favourable consideration for the same.

REYRS

O. D.

- Ms. Ray be given her final degree with the correct year of graduation and signed not by the Honorable Vice Chancellor and Chancellor within the next 30 working days to avoid further unjustified prejudice to her career;
- Without prejudice to the 30-day deadline requested above, an immediate and impartial inquiry be instituted to hold accountability on the present employees of the University responsible and appropriate disciplinary action be taken against those responsible with due permission only by the Honorable VC;
- A formal apology be issued by the University to Ms. Ray to provide her with the necessary proof of her blamelessness resulting in undue and unjustified delay to avoid any further jeopardy or prejudice to her career prospects on account of the said delay caused solely and squarely due to the University administration's fault;
- Ensure that no graduating student, including, but not limited to, the outgoing 2018 batch is ever put in an unfortunate position such as Ms. Ray; and
- Put necessary systems, practices et al in place along with incentive systems, penalties if necessary to ensure timely publication of results in accordance with the present and foregoing due to the amended Rule 33 of Academic Rules.

O. D.

- The MoU with Dillons Foundation be immediately terminated
- The agreement with leaders be suspended/terminated at the earliest possible instance
- A time-bound and impartial review of the quality and credence financial or otherwise from the University's perspective of all such associations, courses, diplomas et al
- All such associations with external partners and courses offered directly by U.S be terminated and stopped at the earliest possible instance if they are found to not

be in compliance with UoC's Regulations and be suspended in the meanwhile

- An independent, impartial and strictly time-bound inquiry be most promptly conducted by a committee including external members of repute to determine the cause, circumstances and internal perpetrators of a seemingly deliberate irregularities in the name of UoC in addition to a forensic audit of expenditures made on account of UoC income from self courses
- The strictest disciplinary action be taken against the perpetrators identified in the above mentioned inquiry with the permission of the Hon'ble UoC
- The Hon'ble UoC in its meeting scheduled to be held on May 01 two days later be immediately apprised of this petition in detail and the action taken by this Council today in this regard and
- A public notice be immediately put on UoC's official website clarifying its status under the UoC's Regulations

O. P. D.

- Entries are in the original proposed form with the strict clause of main project consultation under a mandatory approval from UR be approved in this very meeting and be formalised into Academic Rules in short and no unnecessary delay of several years;
- Recommendation 20 of the URC be approved in line with the instructions of the Hon'ble Supreme Court of India; and
- Students representatives elected President and Vice President of the Student be given non-voting invitee members of this Council

Yours sincerely

(on behalf of Ms. Ray and the entire NUJS student body)

A handwritten signature in blue ink that reads "A Agarwal". The signature is written in a cursive style with a large, stylized 'A'.

Arjun Agarwal

President

Student Juridical Association, 2016-18

**MINUTES OF THE THIRTY SECOND MEETING OF THE ACADEMIC COUNCIL OF WBNUJS
held on 10th May, 2018 at Dr. Ambedkar Bhavan, 12 LB Block, Sector – III, Salt Lake, Kolkata – 700098.**

The thirty second meeting of the Academic Council was held on Thursday, 10th May 2018 at Dr. Ambedkar Bhavan, Salt Lake, Kolkata – 700 098.

The following members were present:-

1. HON'BLE JUSTICE MR. AMIT TALUKDAR,

Vice-Chancellor, Chairman, Academic Council, WBNUJS, Kolkata.

2. PROF. (DR.) POONAM SAXENA

Member, Academic Council.

3. PROF. (DR.) A. LAKSHMINATH

Member, Academic Council

4. PROF. (DR.) T. V. G. N. S. SUDHAKAR

Member, Academic Council.

5. PROF. (DR.) SANDEEPA BHAT B.

Member, Academic Council.

6. PROF. (DR.) ANIRBAN MAZUMDER

Member, Academic Council.

7. MS. VANEETA PATNAIK

Member, Academic Council.

8. DR. ANUPAMA GHOSHAL

Member, Academic Council

DR. SARFARAZ AHMED KHAN, Registrar (Acting), WBNUJS, was also present in the Academic Council Meeting.

PROF. (DR.) FAIZAN MUSTAFA, PROF. SAIKAT MITRA, MR. PRIYANKA GHOSH, MR. ASOK DEB, PROF. (DR.) M. K.

SINHA, PROF. (DR.) ARUP KUMAR PODDAR, . (DR.) SREENIVASULU N. S. could not attend the meeting.

At the outset the Chairman welcomed the members and started the proceedings of the Academic Council Meeting.

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Minutes of the 32nd Academic Council Meeting

Sl. No.	Agenda Items	Resolution	Remarks/ Action taken
1.	The Minutes of the 31st Meeting of the Academic Council, held on 04.01.2018 was placed for confirmation of the honourable members.	Hon'ble Members confirmed the minutes of the 31 st Meeting of the Academic Council held on 04.01.2018.	
2.	<p>Ms. Shreyoshi Ray (ID No.: 211110) belongs to 2011 batch of LL.B course. Rest of students of her batch were conferred degree in the Eleventh Convocation dated 13th November 2016, whereas Ms. Shreyoshi Ray could not be conferred degree during the Convocation as she could not clear one of her subjects "Child Rights & Law" – taught by Ms. R. Goswami. Subsequently she cleared her subject of Child Rights and Law in March 2017 (result received from the course teacher on 10.03.2017 and it was published on 10.03.2017).</p> <p>Ms. Ray was issued a provisional degree certificate as she fulfilled the requirement of her degree, mentioning her year of graduation as 2017. Later on she appealed to the Vice Chancellor for revision of the year of awarding degree in the Provisional degree certificate and requested her year of graduation be made as 2016 in place of 2017. After consultation with the course teacher, Ms. Ruchira Goswami, Vice Chancellor decided that the date of submission of project to be considered, not</p>	<p>In light of the peculiar facts and circumstances and the documentary evidence put before the honourable members of the Academic Council, it was decided by the honourable members that the year of passing of Ms. Shreyashi Roy to be reckoned as 2016 and accordingly the Degree certificate of Ms. Shreyashi Ray to be corrected and forwarded to the Chancellor for his signature.</p> <p>An enquiry to be conducted by Prof. (Dr.) Poonam Saxena, Vice Chancellor, NLU, Jodhpur and Prof. (Dr.) A. Lakshminath, Pro Chancellor, CNLU, Patna into the circumstances which led to the delay in declaration of the result and fix the responsibility. Dr. Anupama Ghosal will be assisting the Committee.</p>	

<p>the date of publication of result.</p> <p>The Vice Chancellor responded to her appeal and directed to reissue a provisional degree certificate mentioning the year of graduation as November 2016 without withdrawing the previous provisional certificate.</p> <p>Since she could not qualify for degree because of not passing one subject in 2016, she could not be awarded the degree during the Convocation in 2016. However, she was eligible for her degree in the Twelfth Convocation held on 10th December 2017. But she was not present in the Convocation and could not take her degree.</p> <p>Along with other degree certificates conferred during this convocation date of graduation in her certificate was also mentioned as date of graduation as 2017.</p> <p>Once she received the certificate, Ms. Ray brought to the knowledge that the year of awarding the certificate is wrong. A. R. (Academic) apprised the matter to the Vice Chancellor and the Vice Chancellor directed orally to AR (Academic) to get a fresh degree certificate printed with the details of revised provisional certificate. Accordingly Academic section got printed the certificate and placed it before the Vice Chancellor and Prof. P. Ishwara Bhat also signed the certificate and asked me to provide facts of the case before sending it to the Chancellor of the University.</p>		
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	The facts of the case of Ms. Shreyashi Roy was placed (copy of the note attached as Annexure 8). After perusal of the facts, the Vice Chancellor did not forward the certificate to the Chancellor for his signature as he expressed that the date of awarding of the degree should be 2017 not 2016.		
3.	This has reference to the note put up by Prof. Arup Kumar Poddar, regarding a petition filed by Advocate Pinaki Ranjan Banerjee, of the Calcutta High Court, addressed to the Chancellor dated 09.09.2017 against Distance Education and Online Courses at WBNUJS.	<p>Deferred. Prof. Patnaik objected with regard to the maintainability of the note as it has been addressed to the Chancellor and her dissent is recorded.</p> <p>With regard to Distance Education and Online courses at WBNUJS the members were of the opinion that additional clarity is required to the effectively deliberate on the matter. The same may be procured and put in the next meeting after considering the objection of Prof. Anirban Mazumder, Prof. Sandeepa Bhat B. and Prof. Vaneeta Patnaik it is decided that all future activities should be put on status quo as on date. Be it noted this would not be applicable to the course conducted by University alone without any private partnership.</p>	
4.	The University proposes to revise the total number and allocation of seats across PWD category for CLAT 2018 in pursuance of Rights of Persons with Disabilities Act 2016.	The Hon'ble members approved the proposal.	

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5.	<p>As directed by the Hon'ble Chief Justice of India, Chancellor, WBNUJS, following points of the recommendations of the Review Commission are placed before the honourable members for their perusal and decisions:</p> <p>Point Nos. Subject</p> <p>14 Strengthen Accountability Mechanisms</p> <p>15 Strengthen Grievance Redress</p> <p>16 Reform and Strengthen Career Advancement Policies</p> <p>17 Make Selection Processes Objective and Independent</p> <p>20 Introduce Specialized Streaming in the LL.B course</p>	This matter be deferred as it needs thorough study and detailed deliberations.	
6.	The University proposes to add new members as examiners and subject experts in addition to the earlier list as already approved by the Academic Council.	The list is approved in addition to the earlier list.	
<u>ADDITIONAL AGENDAS</u>			
AAI.	<p>The Centre for Post Graduate Legal Studies (CPGLS), a nodal body for administration of LL.M studies vide their meeting held on 07.05.2018 proposed further addition in the existing Regulations of LL.M course.</p> <p>1. Attendance requirement for LL.M (one year) course</p> <p>The CPGLS proposed that the minimum attendance requirement for the LL.M students shall be 70% physical attendance per subject per semester and the attendance requirement is compulsory. Any shortage of attendance, below the threshold limit of 70% per subject for each semester the concerned student will be debarred from appearing in the end semester examination.</p>	The Hon'ble members approved the proposed amendments.	

	<p>The debarred students shall not be allowed to take end semester examination in the same academic year. Further, a debarred candidate (due to shortage of 70% attendance or due to any academic misconduct) is to be allowed to take the debarred subject for examination in the next academic year only.</p> <p>2. Annotation of “R” beside a repeated subject on the transcript or marks statement Once a student writes a repeat examination in a subject, due to failure in the end semester examination or any other reason, annotation of an “R” is to be made beside the same on the transcript or marks statement for the concerned student.</p> <p>Above amendments/additions may be inserted as Para 6.1.A in the LL.M Regulations 2013 to be applicable prospectively from the academic year 2018-2019, if approved by the honourable members.</p>		
AA2.	<p>As per the recruitment held in the last year, Mr. Balajinaika B. G. had been appointed as Assistant Professor in Law. Thereafter, having received an offer from Faculty of Law, University of Delhi, he resigned from the post of Assistant Professor in Law at WBNUJS from 24.02.2018. The University has accepted his resignation and has issued the release letter in his favour. The matter was submitted for perusal, information and directions of the honourable members of the Executive Council in their 60th meeting held on 07.04.2018. Resolution of the same (attached as Annexure 1AA) may be found as under:</p> <p>“The resignation is accepted and it is decided that the University shall proceed to fill in the subject vacancy (International Law) by adopting proper procedure for the same”.</p> <p>Put up for perusal and further directions of the honourable members.</p>	The matter was noted by the Hon’ble members.	



AA3.	<p>As per direction of the 60th meeting of the Executive Council (attached as Annexure 2AA), held on 07.04.2018, that Academic Council will make a list of permanent teaching posts which are lying vacant, in need to be filled up. The same to be placed before the Academic Council to make a list of vacant permanent teaching posts.</p> <p>With regard to the same, following information has been received on 08.05.2018 from the establishment section of the University:</p> <p>i) Vacant faculty position at WBNUJS at present (attached as Annexure 3AA)</p> <p>ii) Required qualification for recruitment of teachers and other academic staff at WBNUJS is as per UGC guidelines 2010</p> <p>iii) Pay scales of teachers at WBNUJS is as per UGC guidelines 2010</p>	The Hon'ble members decided that the matter is to be taken up along with the recommendations of the Review Commission Report in the next meeting.	
AA4	Creation of Controller of Examination Cell	The members of the Committee were of the opinion that there should be a separate Examination Cell to be headed by a Faculty Member who would be designated as Controller of Examinations and assisted by three other Faculty Members and necessary administrative staff.	
AA5	Representation from the Students' representative as representative of Ms. Shreyasi Ray	The Council heard Ms. Shreyasi Ray's case from the Students' Representative, Mr. Arjun Agarwal, President, Student Juridical Association.	

REPORTS

R/	<p>From 2017-18 batch of Ph.D. students sixteen candidates had qualified for Ph.D. course work out of which only 14 students have successfully provisionally registered themselves and are eligible for sit for course work examination in June 2018.</p> <p>Their permanent registration for Ph.D. course would be ascertained once they complete their course work and declared successful.</p> <p>List of students may be found as under for perusal of the honourable members.</p> <p>Sl. No. Name of the Candidates</p> <ol style="list-style-type: none"> 1 Mr. Arindam Mitra 2 Ms. Satavisha Haldar 3 Mr. Ashis Kumar Hazra 4 Ms. Sayantani Bagchi 5 Ms. Aparna Madhu 6 Ms. Noor Fatima 7 Ms. Anuleena Bhattacharjee 8 Mr. Ranadip Bhattacharya 9 Mr. Nitesh Kumar Panjiar 10 Ms. Amlanika Bora 11 Ms. Deeksha Sharma 12 Mr. Amrith Nath S.B. 13 Ms. Sumedha Verma 14 Ms. Sayanti Ganguly 	The Council noted the same.	
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The meeting ended atp.m.

**ANNEXURE 3****The WB National University of Juridical Sciences**

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STUDENT JURIDICAL ASSOCIATION

Date: May 11, 2018

To

The Hon'ble Executive Council

The WB National University of Juridical Sciences

Kolkata- 700098

SUBJECT: RESISTANCE TO SERIOUS CONCERNS PERTAINING TO PERSISTENT VIOLATIONS**OF UGC ACT 1956 AND CRIMINAL TRESPASSION VIOLATION OF UNIVERSITY****MEMORANDUM**

Hon'ble Members

We humbly write to you on behalf of the student body to bring forth the following disturbing matters and seek your most urgent indulgence:

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I. FCR Act 2010 Violations	2 – 5
II. UGC Act 1956 Violations	5 – 13
III. Inaction on Justice (Retd.) PN Sinha Report and URC Report	13 – 14
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INSISTENT VIOLATIONS OF FCRA ACT

Section 11(1) of FCRA: Mandatory Prior Permission or Registration

Foreign Contribution (Regulation) Act, 2010 (FCRA) [1989UR 1] was enacted by the Hon'ble Union Parliament on September 26, 2010. Its Section 1(3) read with Notification No. SO909(E) dated April 29, 2011 made it effective from **May 2011**. Under the *proviso* to Section 11(1) of FCRA, prior permissions granted under (earlier) FCRA 1976 shall be valid for a (maximum) **period of five years** from the date on which this section comes into force. As the Frequently Asked Questions (FAQs) pertaining to renewal of registration clarify, the last date of expiry is **March 2016** [Q3: 1989UR 1 P. Ishwara Bhat, *Balancing Transnational Charity with Democratic Order, Security, Social Harmony and Accountability: A Critical Appraisal of the Foreign Contribution (Regulation) Act, 2010*, 4 J. INDIAN L. & SOC'Y 155 (2013): 1989UR 1].

While we, as students, do not have access to all documents and NUJS Annual Reports make no mention of mandatory filings or necessary compliance with FCRA, a quick look through the FCRA official website (<https://fcraonline.nic.in/home/index.aspx>) has shown us:

a) NUJS had obtained prior permission in 2003 under the Educational category and in 2004 under the Social category suggesting that **NUJS is no more compliant with FCRA at least since March 2016**; [1989UR 1 Q 10 and Q 11, FAQs on registration and prior permission: 1989UR 1] and

b) NLSIU (Bangalore), a comparable institution and pioneer of the National Law School project, is fully compliant with FCRA as on date under the Educational category. [1989UR 1].

It is also clear that NUJS never validly (met conditions under Section 12(4)) applicable for any such registration/prior permission either since April 30, 2016 since in that scenario:

a) either such permission would have ordinarily be granted within ninety days from the date of grant of registration by the Central Government (Section 12(3) of FCRA); or

b) in accordance with first *proviso* to Section 12(3) of FCRA, the Central Government in case of non-grant of certificate or prior permission, within the said ninety period, must

have communicated (rectifiable) reasons for the same.

Case in Point: NUJS – Herbert Smith Freehills Memorandum of Understanding (MoU)

While we do not have access to any other documents, the said MoU strongly suggests a multiple violations of FCRA. The said MoU first signed on September 17, 2013 [Original MoU] between NUJS and Herbert Smith Freehills (HSF), a silver circle law firm headquartered at London, United Kingdom, first granted an annual contribution of £ 5,000 (Clause 4.1: [Original MoU]) towards the hosting of NUJS – Herbert Smith Freehills National Corporate Law Moot Court Competition.

This MoU first signed by prestigious HSF was the product of sincere efforts of several NUJS alumni who joined the firm first as trainees before being made full-time associates. It is a matter of pride that recently [December 14, 2017: [Original MoU]] NUJS and HSF amended the original MoU (Amended MoU) and increased the annual contribution to £ 7,000 (Clause 2.1.1: [Original MoU]) and extended the original term well in advance for another year – from 2019 to 2020 (Clause 2.2: [Original MoU]).

It is, however, unfortunate that the University administration has failed to fulfil its obligations under the MoU. Clause 10 of the Original MoU is reproduced hereunder ([Original MoU]):

“[COMMITMENT] WITNESSETH

NUJS agrees and undertakes to perform their obligations hereunder in compliance with all Applicable Laws, which are applicable, as on the Effective Date, to NUJS or may be made applicable to NUJS during the Initial term (or any extension thereof) or both. NUJS agrees and undertakes that it shall, during the currency of this MoU, obtain and maintain in full force and effect, all licenses or permits, if any, as may be required and are necessary under Applicable Law to perform its obligations herein.”

Further, Clause 4 states under the Amended MoU states:

[URT] [R] [SSUR] [C]

The Parties shall do all such things necessary and desirable in order to confirm or establish the validity and enforceability of this Agreement.

Not only has NUJS administration acted in clear violation of the Original MoU and newly added terms under the Amended MoU in addition to Section 11(1) of FCRA, but it is also responsible for the following **separate and distinct** violations:

Rule 11 of FCRR: Mixing of domestic and foreign receipts

Rule 11 of Foreign Contribution (Regulation) Rules, 2011 [FCRR] states:

Maintenance of accounts

Every person who has been granted registration or prior permission under section 12 shall maintain a separate set of accounts and records, exclusively, for the foreign contribution received and utilised.

The FAQs on maintenance of accounts further clarify the same [Q1: FCRR]. FAQs on banks and banking related issues further clarify that an exclusive that a dedicated/exclusive Foreign Contribution bank account is a pre-requisite for grant of registration or prior permission [Q1: FCRR].

The proof of a clear contravention of Rule 11 of FCRR is established in FCRR – a letter dated October 15, 2015, wherein the former Vice Chancellor (Prof. (Dr.) P. Ishwara Bhat: **former VC**), requested HSF to transfer money directly to University’s main account with Corporation Bank, NUJS branch which receives innumerable domestic/local fund receipts every year.

Rule 17 of FCRR: Mandatory Filing of Annual Returns

FCRR were amended in 2015 vide Foreign Contribution (Regulation) Amendment Rules, 2015 [FCRR]. Under the amended Rule 17(1) of FCRR, NUJS is also obligated to file an annual return in form FC-4 [Q1, FAQs on filing of annual returns: FCRR]. Rule 17(2) of FCRR mandates that FC-4 “shall reflect the foreign contribution received in the exclusive bank account”.

The Ministry of Home Affairs has, from time to time, released several circulars [recently, dated May 29, 2017: FCRR] and public notices [most recently, dated April 24, 2018: FCRR] in this regard.

Conclusion

It is clear that the University administration has failed to comply with the Original MoU and Amended MoU signed with HSF and multiple provisions of the FCRA. It is unfortunate that our long standing relationship with HSF has been in serious jeopardy in light of this administrative oversight. Under Section 37 of FCRA, whoever fails to comply with any provision of the Act which has no separate penalty thereunder “shall be punished with imprisonment for a term which may extend to one year, or with fine or with both.” *For further guidance, Notification No. S.O. 1976(E), S.O. 1070(E), S.O. 2133(E) dated August 26, 2011, April 26, 2013, and June 16, 2016 respectively* [UR S respectively].

Clause 8.3 of the (Original) MoU empowers HSF to unilaterally terminate the MoU by providing a six month notice to NUJS. The Hon’ble Members may, if they deem fit, consider an appropriate amendment to WBNUJS Act, 1999 to the effect of compulsory annual auditing of the University by the Comptroller and Auditor General of India. This will allow the University to be completely exempt from the purview of FCRA *vide* Notification No. S.O. 1492(E) dated July 1, 2011 [UR].

II RSIST T VIO TIONS O U C CT

Application of UGC norms to Open and Distance Learning courses:

The Hon’ble Supreme Court of India in *Annamalai University v. Information & Tourism Deptt.* [(2009) 4 SCC 590] held that regulations framed by the University Grants Commission (UC) to determine standards of education are a part of the UGC Act, 1956, and are applicable to both open universities and formal universities (¶42). It further clarified that there can be no relaxation on the “basic things” necessary (referring to the relevant UGC regulations and norms) for conferment of a degree (¶¶ 40 – 41, 57 – 59).

On **May** , the UGC issued a letter to Vice Chancellors of all Universities iterating that the UGC had been entrusted with “all the regulatory responsibilities” of the Open and Distance Learning (OD) education system by the Ministry of Human Resource Development, Government of India (MRD) [nne re].

On **October** , a public notice was issued by the UGC not only advised

prospective students desirous of pursuing education through ODL mode to check the approval/recognition of programmes of Universities/Institutions on the UGC website, but also advises students to not take admission in any Study Centre offering the course outside its “Territorial Jurisdiction”. Universities/Institutions were also advised to operate only within their respective territorial jurisdiction in accordance with relevant UGC norms [Annexure II].

Another public notice issued on January 2017 by the UGC which also refers back to earlier public notices dated June 2016 and October 2016, reiterates the UGC’s policy on territorial jurisdiction as per the law laid down by the Hon’ble Supreme Court of India in *Prof. Yashpal v. State of Chhattisgarh* [(2005) 5 SCC 420]. It also states that the UGC has not accorded recognition to any University/Institute to offer online programmes [Annexure III].

On 1st January, UGC sent another set of letters to UGC approved institutions offering education through ODL mode. While many other National Law Universities are on this list of recipient institutions, interestingly, UGC remains curiously missing [Annexure IV].

Currently, the UGC (Open and Distance Learning) Regulations, 2017 (Regulations) hold the field as regards approval and recognition of ODL system of learning and are set to be operationalised for the year 2018-19 [Annexure V].

The State of ODL Programmes in the University and the Unjust Allocation of its Burden on Full-time Students

The voices of concern over the current structure of ODL programmes operated by the University have come from various quarters over the last few years. These concerns relate to the aspects of the University administration partnering with profit-making private entities for conducting ODL courses, shortage of academic resources including faculty, and undue consequences of diploma programmes adversely affecting undergraduate teaching in the University.

A member of the faculty, Dr. Anirban Chakraborty, Assistant Professor (currently on lien) in his email dated August 6, 2017 to all faculty members, and specifically Prof. (Dr.)

Anirban Mazumdar, Prof. (Dr.) Sandeepa Bhat and the former VC, expressed his distress at profit-oriented entrepreneurs exploiting the NUJS brand name, thereby, severely enhancing the potential for litigation against the University and consequent reputational damage. He called for immediate cancellation of the agreements the University has entered into with private players for ODL programmes. [URC 116]

A current student of B.A. LL.B., who is **regularly engaged by relevant faculty members for drafting study material for some ODL courses** (revealed on the condition of anonymity) that preparation of course material is **outsourced to students without any guidelines or structure**. Course material prepared in this manner has been described as **“an undecipherable mess of legal provisions riddled with inaccuracies”**, mostly plagiarised from online sources. Yet, this method of course material preparation is preferred since it can be arranged for paltry compensation of INR 3000 to INR 10,000 depending upon the amount of assignment undertaken. The business model rests on offering cheap courses of bad quality to lure gullible people followed by continuous creation of new courses once the shoddy quality of the previous course is discovered.

The esteemed University Review Commission (URC) has also expressed its serious concerns in this regard. It has noted that the **introduction of over 100 Diploma programmes in the last five years has not been accompanied with commensurate increase in faculty strength** leading to overburdening of existing faculty, undercutting their time for research and undermining overall quality of teaching (¶116). Some members of the faculty have spent over **10 teaching hours in a year only on diploma programmes** (¶116).

Per the URC, this problem is accentuated by the failure of management and administration at the University (¶132). On one hand, the student-teacher ratio is at a historic low and on the other hand, new programmes are being started despite lack of academic resources (¶132). This has led to **“relieve of the undergraduate programme”** (¶132).

In its recommendations, the URC has noted the need for enhancing faculty strength

to 80 in order to meet the teaching workload and set right the student-teacher ratio and meanwhile, it has recommended that **new Diploma programmes be introduced only after consideration of available faculty** (Part 5, ¶¶7, 8).

A Tale of Persistent Violations?

Despite all the notices, letters, notifications, and advisories by the UGC, the list of Institutions/Universities authorised to impart education through ODL available on its website **does not** include NUJS.

Among multiple other violations, one of the most startling violation of the presently applicable Regulations [amended *vide* **Notification No. D-III/2016-17**] is the pre-requisite for application to obtain valid UGC recognition encapsulated under Regulation 3(1)(viii) requiring the applicant Higher Educational Institution to have valid accreditation from National Assessment and Accreditation Council with minimum Cumulative Grade Point Average of 3.26 on a 4 point scale. Another pre-requisite for application to obtain UGC approval is with respect to the territorial jurisdiction as specified under Regulation 3(1)(ii) read with Annexure 4 thereunder.

On the other hand, NLSIU (Bangalore) and NALSAR (Hyderabad) – which are comparable institutions, feature in the list on UGC website and also appear to be compliant with all such Regulations and the preceding requirements as set out under abovementioned UGC documents. [**Annexure 4**]

Mr. Ramanuj Mukherjee, Chief Executive Officer, iPleaders – one such organisation with whom the University has entered into an agreement with for ODL courses, in his recent email to Prof. Mazumdar (Director of School of Distance & Mass Education of NUJS) dated April 18, 2018, acknowledges the fact that iPleaders’ courses are not compliant with the abovementioned UGC norms and the latest Regulations. In addition to this, Mr. Mukherjee also states that he has been advised by “reputed” tax advisor in Delhi that the burden to pay GST on these courses is upon the University [**Annexure 5**]:

That courses such as those offered by iPleaders that are not recognised by UGC/CICT or such other statutory body which recognise various courses, are

to be treated differently than courses that are recognized as a qualification by such bodies. **Universities will have to pay ST on such courses**

The University Administration's Role

A perusal of available statutory body documents seems to suggest that not only some employees in the University administrations have deliberately attempted to seek and obtain approvals for these courses without full (or any) disclosure of information and without paying any heed towards legal implications, but also that the relevant statutory bodies i.e., the Hon'ble General Council, Academic Council, Finance Committee and this Council have been kept in dark about the stark illegalities surrounding these courses.

This Council, in its 54th Meeting held on **February 2016**, under Agenda No. 18 approved the establishment of **School of Distance Mass Education**, in supersession of the erstwhile Distance Education Council of NUJS approved "long ago" by this Council. The relevant minutes note that the said School would also discharge the administrative function of maintaining "all records pertaining to Degree, Diploma, and Certificate Courses conducted in Distance Mode or Online or Contact or Evening/Weekend Classes". Earlier, the Executive Council minutes for its 43rd Meeting held on **June 2015**, under Agenda No. 10 reflect the resolution that a "Directorate of Distance Education" shall be formed and the "earlier body created for such purpose [be] merged into the new directorate".

Information culled out from some recent and available NUJS Annual Reports and minutes of various meetings regarding the approval/proposed approvals for ODL courses, reveals information about over 16 PG Diploma, Masters and Certificate courses, without making any mention whatsoever of any applicable laws, including, but perhaps not limited to, Regulations, preceding UGC norms, applicable Goods and Services Tax, *et al.* Similarly, Annual Report for 2015-16 curiously makes no mention of Dillon Kidney Foundation which has partnered with the University for ODL courses since 2015. Many of these courses were partnered with/sponsored by private entities and even the identity of private players involved remains unclear in most such cases. An illustrative chart is on the following page.

S o	Name of the Course	Partner/Sponsor	Document Date Meeting as agenda no
1	PGD in Business Laws	Larsen & Toubro	Annual Report 2008-09; 2010-11 (course initiated)
2	PGD Air & Space Law	NA	32 nd EC meeting on May 8, 2010 (proposal mentioned); Annual Report 2011-12 (approval mentioned)
3	PGD in Commercial/Business Law (distance education mode specifically mentioned)	Rainmaker	34 th EC meeting on January 8, 2011 (approval mentioned)
4	PGD in Human Rights	UGC	Academic Council on August 26, 2011 (approved); 36 th EC meeting on 27/08/11 as AA2 (approved)
5	Diploma on Legal & Administrative Issues in Entrepreneurship	iPleaders	35 th EC meeting on April 30, 2011 AA1A (decision deferred)
6	PGD (Executive) in Business Management & Law	IIM Shillong	Annual Report 2011-12 (proposal initiated); AC on August 28, 2011 (approved); 36 th EC meeting on August 27, 2011 as AA1 (approved)
7	PGD in Nuclear Law	Atomic Energy Commission	38 th EC meeting on March 3, 2012 (approved); AC on March 3, 2012 (approved)
8	Master in Business Laws (MBL)	Private partner but information unclear	39 th EC meeting on July 14, 2012 as AA3
9	Several unnamed diploma courses in distance mode	Private partners involved but information unclear	39 th EC meeting AA4 on July 14, 2012. No reference made to AC.
10	MA in Business Law	Private partner but information unclear –	AC meeting on April 22, 2017 as A6

		<u>similar course known to be offered by i leaders</u>	
11	PGD in International Relations, Law & Politics	NA	AC meeting on April 22, 2017 as AA1
12	PGD in Child Rights	UNICEF	AC meeting on April 22, 2017 as AA2
13	Certificate in Child Rights & Protection	UNICEF	AC meeting on April 22, 2017 as AA3
14	PGD in Real Estate & Land Laws, Benami Transactions & Debt Recovery	Effulgent Educators	AC meeting on April 22, 2017 as AA4
15	Certificate in GST	Information unavailable	AC meeting on April 22, 2017 as AA7
16	PGD in Industrial & Commercial Law	HPCL	89 th FC meeting on August 29, 2017 makes a mention but approval date elsewhere unavailable

In these circumstances, the understated questions are, as they should be, are directed to all past members of the erstwhile “earlier body”/Directorate of Distance Education/Distance Education Council or any other body entrusted in the past with any such duties, the Office of the AR (Academics), all the past and present members of the School of Distance & Mass Education of NUJS (**Dr. Mamdar is the present Director**), any employee of the University involved in coordinating with the relevant private/external organisations partnering with NUJS and all relevant past and present members of this Hon’ble Council.

Questions: An Unexhaustive List

- **Without basic compliance with the applicable UGC norms how and why did UJS enter into agreements with private profit making providers such as Rainmaker i leaders, eminent educators et al?**
- **How did the University even allow for such blatant and continued violation of the law of the land to the detriment of the institution's own reputation and public**

interest

- How were the partners selected as Rainmaker Leaders? Did any selection criteria was used to select them?
- Who negotiated on behalf of UoC and how were the agreements drawn up?
- What transparent methodologies were used to decide the brand value of UoC and the profitability ratio? Regardless of the actual ratios, how these ratios were arrived at in the first place?
- What has the administration done thus far and starting when, in any manner to become compliant with UoC Regulations and preceding norms governing education towards the ODL mode?
- Who are the true beneficiaries of these regrettable associations with private players selected as leaders? Misguided educators and Directors of the foundation?
- With the faculty/staff involved in steering these dodgy agreements with no knowledge of non-compliance with UoC Regulations and preceding norms and ST laws, the need responsible to indemnify the University against already incurred notional loss and any future loss on account of potential litigation and penalties?

Decision of the Academic Council in its meeting on May 10, 2018:

We presented a detailed petition [XXXXXXXXXX] outlining the shambolic state and illegality of ODL programmes run by the University with private partners to the Hon'ble Academic Council in its meeting on May 10, 2018. Our prayers to the Academic Council, included, but were not limited to: **the immediate termination/suspension of agreement/MoU with Directors of the foundation/leaders et al** for violating relevant laws, Regulations and terms of the agreement, an **impartial and time-bound review of the reality and credence of all such courses and partners**, and an **independent and impartial inquiry** by a committee, including external members, **to determine the cause, circumstances and internal perpetrators of all seemingly deliberate irregularities in the name of UoC** in addition to a **forensic audit of all expenditures made on account of UoC**

income from s.c. courses in order to fix accountability and take necessary actions.

We wish to apprise the members of this Hon'ble Council of these developments relating to the University's ODL programmes and we request that it take note of the same and take any further action as it may deem fit.

III. ACTION OF RECOMMENDATIONS OF JUSTICE (Retd.) SINGH'S REPORT

It pains us to agitate yet again against persistent inaction of the University administration on financial embezzlement involving the former Registrar of the University, Mr. Surajit Chandra Mukhopadhyay and (presumably) various other employees of the University. The financial scam pertained to the tender work awarded to M/s Curtain Centre for interior works of Rooms 201, 227 and 328 of the Academic Block in violation of General Financial Rules, 2005, and against the advice of the consultant architect and the campus engineer. This has been established by the enquiry report of Justice (Retd.) Pravendu Narayan Sinha (Inquiry Officer) ordered by the Hon'ble High Court of Calcutta.

However, no steps have been taken to recover the huge financial loss that the University has suffered nor any action taken against the other persons involved, notwithstanding an express recommendation of the Inquiry Officer to initiate a C.I.D. inquiry for establishment of criminal wrongdoings of the involved persons, including, (still) campus supervisor, Mr. Dam, who continues to work at NUJS has been clearly identified as actively involved in fabricating documents to aid the former Registrar (pp. 84, 100 and 101).

Similarly, various others who were suspected to be involved continue to work in the University (p. 201). In other words, there has been no determination by any court, the Executive Council or any other authority in the University on the question of who all were involved yet.

The URC also noted the event of financial embezzlement leading to the dismissal of former Registrar and lack of any effective steps taken in furtherance of the Inquiry Officer's Report (¶132):

"There was a major instance of alleged corruption and embezzlement that has resulted in the suspension of the then Registrar. An inquiry report ordered by the Executive Council

and another ordered by the High Court into this alleged corruption have both made recommendations for further investigation into a number of aspects and the fixing of individual responsibility beyond the Registrar. However there has been no effective follow up action on these recommendations.”

We humbly beseech the Hon’ble Executive Council that without causing any further delay immediate steps be taken to order filing of criminal complaint against persons involved in the financial embezzlement, initiation of a C.I.D. enquiry into the matter be considered, and all necessary steps towards recovery of the losses caused to the University be taken along with any other it deems fit.

IV. Questionable Inaction by University Employees in Serving or on Directors on the UGC and C

Sometime back I had written for the Statesman analysing the trend of student unrests at other National Law Universities [XXXXXURX XXX]. One of the underlying problems that I had identified was the centralisation of power in the hands of a select few within the University administration and the pragmatic impossibility for esteemed external members on statutory bodies to micromanage affairs of the University. In such circumstances, there is good faith reliance on the internal members/employees/faculty members, who double up as members of these statutory bodies, to lay necessary information before the University authorities in the agenda files and actively participate in discussions on contentious internal issues. We believe basic statutory compliances are a matter that internal members of these Hon’ble statutory bodies are best placed to highlight adequately.

In the last meeting, we had pointed out the apparent abuse of power to appoint Registrar (Acting), Mr. Sarfaraz Ahmed Khan by the former VC in exercise of his powers under Clause 18(5) of the Schedule to the WBNUJS Act, 1999 [XXXXXURX XX].

In this backdrop, his recent appointment as a full time member of the Council in addition to being its (ideally non-Member) Secretary, raises serious conflict of interest concerns in light of Clause 20(2) of the Schedule to WBNUJS Act, 1999. This, we humbly believe, brings into question the legality of his appointment to this Hon’ble Council in the first

place. Lastly, we had highlighted concerns regarding his continuing evasiveness to Right to Information requests filed back in August 2016 [UR].

Today, we request the Hon'ble Council to consider the role of the **on-time members** of NUJS statutory bodies in failing to bring issues I, II and III adequately to the attention of the respective statutory bodies. The following page contains the full list of present employees' membership history on these Hon'ble statutory bodies. The chart also highlights serious concerns regarding the observance of the prescribed rule of "rotation" for nomination of faculty members to the Hon'ble Executive Council under Clause (7)(1)(i) and (j) of the Schedule to WBNUJS Act, 1999 in the nomination to these coveted positions.

Sno	Name of the Professors	Members of Executive Council, Academic Council and Standing Committee	Year of Appointment	Total Cumulative Time Period of Tenure
1.	Dr. Sarfaraz Ahmed Khan	Executive Council (As the Non-Voting Member & Ex Officio Secretary)	2016-6 th January 2018	2 Years 4 Months
		Executive Council (As Permanent Member)	6 th January 2018 to Present Date	
		Academic Council (Per Section 18(13) of the WBNUJS Act 1999, the Registrar of the University is not a de facto member of the Academic Council.)	Despite not being a Member, he has attended 27 th – 32 nd Meetings.	(effectively) 2 Years
2.	Prof (Dr) Anirban Mazumdar	Executive Council	2001-2010 & 2016-2018	11 Years
		Academic Council	2016-18	2 Years
		Standing Committee (disbanded)	2004-09	5 Years
3.	Prof (Dr) Arup Kumar Poddar	Academic Council	2007-11 & 2014-18	8 Years
4.	Prof (Dr) Sandeepa Bhat B	Academic Council	2016-18	2 Years
5.	Prof (Dr) Sreenivasulu NS	Academic Council	2014-18	4 Years
6.	Prof (Dr) TVGNS Sudhakar	Academic Council	2012-14 & 2015-18	5 Years
7.	Ms Ruchira Goswami	Executive Council	2010-16	6 Years
		Academic Council	2003-2010	7 Years
8.	Dr Bikramjit De	Executive Council	2016-18	2 Years
		Academic Council	2010-16	6 Years
9.	Dr Kavita Singh	Academic Council	2010-12	2 Years
10.	Ms Vaneeta Patnaik	Executive Council	2012- till 6 th January 2018	5 Years 7 Months
		Academic Council	2014-18	4 Years
11.	Dr Anupama Ghosal	Academic Council	2016-18	2 Years

We request that the Hon'ble external Members take due cognisance of this monumental failure of long-time internal members, especially **Dr Sarfaraz Ahmed Khan** and **Prof Dr Anirban Mazumdar**

V University Review Commission's Recommendations

Vide his letter dated January 27, 2018, the Hon'ble Chancellor had proposed the discussion of certain URC recommendations before this Council. In that regard, we seek to address the following recommendations:

Recommendation 23: Student Representation in the GC

The URC noted that the University is a “community” which requires mutual trust and confidence amongst the student body, the faculty and the administration in order to function. The issues raised by students, as we have been doing in the past, are all in the best interests of the University. These issues are resolvable through reasoned dialogue and appropriate action (¶72). For this, the students, being the most numerous stakeholders, must be given a democratic voice and a due role in the administration (¶79).

This democratic voice can be granted through the student body of NUJS, the Student Juridical Association. The SJA has been called as a “feather in the cap of NUJS” by the URC (¶28). Recognising the SJA as the best amongst the student bodies of National Law Universities, the URC (under the Chairmanship of a former Vice Chancellor of NLSIU and the present Vice Chancellor of NALSAR) appreciated the SJA representation made before the Commission. It noted (¶29):

“Our interaction with the SJA confirms that one of the great achievements of NUJS has been the building up of a student culture of active engagement with community issues - a rarity today even in globally ranked institutions. This should be preserved and strengthened.”

Therefore, the URC recommended a non-voting invitee status to the elected President of the Student Juridical Association in the General Council of the University (Recommendation 23) to help re-build the students’ trust in the administration.

Students already carry out such representative functions in the University Building Committee and Library Committee with utmost sincerity and diligence. It has led to greater transparency in the working of the University and improved the efficiency of decision-making of these Hon’ble bodies through constructive first-hand inputs from the primary stakeholders. Since granting a non-voting invitee status to the student representatives would require only a resolution to that effect being passed by this Council, we humbly request your urgent and favourable consideration for the same.

Recommendation 5: Temporary reduction in student intake

The URC pointed out that while the NUJS infrastructure was meant to accommodate 80-85 students per year, actual intake has been raised to 127 students per year. Thus, a total of 767 students are being admitted as opposed to the hostel capacity of 504 students (¶30). At the same time, NUJS physical infrastructure and faculty size have remained stagnant.

The URC further notes “NUJS's student strength has increased 122% since 2002, whereas its faculty strength has increased by only 6%, in the same period” (¶94). Thus, the infrastructure and faculty capacity are disproportionate to the number of students. Hence, URC recommended a temporary reduction of intake in the LLB students by 22 seats to 105, starting in 2018 (temporary halt to admission of 19 NRI sponsored seats and 3 foreign national seats). Per the URC would not only provide immediate relief but also improve the quality of students. The URC noted that infrastructure and faculty resources can be improved in the meanwhile. The intake of students should be increased only when adequate resources have been established.

Recommendation 1: Appointment of a Committee to Review Management Crisis

The URC recognised the failure of the management and administration as “the core issue” facing NUJS (¶132). NUJS has not developed any framework to “define, measure and improve” its academic quality (¶69). Pursuant to this, it had received “a flood of complaints” indicating the large-scale nature of the issue. The complaints pertained to matters *inter alia*:

- Vacant key senior positions indicating vacuum of leadership
- Non-implementation of a retired High Court judge’s recommendations addressed as III in the present petition.
- Poor handling of sexual harassment incidents.
- Mass exodus of faculty without adequate replacement.
- Apprehensions of *mala fide* and biased faculty and staff appointments.
- Condoned student misconduct because of unjustified influence by affluent parents.
- Overcrowded campus.

- Low teacher-student ratios.
- Poor or non-existent record keeping.
- Low administrative competence.
- No strategic or long-term thinking.
- Mismanagement of attendance and examination issues.
- Inactive research centres.
- Non-transparent administrative decisions.

Therefore, URC recommended appointment of a committee of one EC member and one outside expert based in Kolkata to review the current management crisis and advice and assist the Administration about management steps that should be taken immediately to address the crisis. It recommended a specific time bound action plan be developed and monitored by EC and Chancellor be informed about such action.

Recommendation 2: Vacant Registrar's post

The URC criticised that all key senior positions remained either unfilled or will fall vacant soon. These included *inter alia* the posts of the Registrar, Finance Officer, Accounts Officer and the Librarian. Thus, NUJS faces a “vacuum of leadership” (¶134).

Therefore, the URC recommended that the Registrar's post be “advertised immediately” and “filled promptly” by an experienced administrator, capable of handling the crisis that NUJS is facing. This would improve the quality of management and administration.

Recommendation 3: Vacant Account Officer's post

The URC recommended that the Accounts Officers' post and all other vacant posts be “advertised immediately” and “filled promptly”. Further, the EC must monitor the recruitment through the committee suggested in Recommendation 1.

Recommendation 7: Increasing Faculty Strength

Today, NUJS stands short of about 55 faculty members (¶94). Our faculty-student ratio has hit a dismal low 1:22. This has drastically affected our academic quality. We request the EC to take consider this matter with utmost urgency and take immediate steps to increase faculty intake to keep up with the increase in student strength.

We further humbly submit that the suggestions outlined in the report to increase the quality and number of faculty which will lead to improvement in the academic quality be considered and taken into account while framing a policy/ plan.

Recommendation 21: Reduction of fees and dependence on fees to Finance Revenues

While the first three Annual Reports of NUJS had envisaged that only 50%-60% of NUJS' revenues will be met by fees, presently some 153% of NUJS' expenditures are financed through fees. This has not only reduced the responsibility of the faculty to engage in research work, but it has also made education in NUJS available only to those people who can afford to pay the exorbitant fees charged (¶133). It is our earnest request that the policy of not raising more than 60% of the revenue from student fee is restored and legal education is made accessible to all. For the same, we request that the URC recommendation to appoint an expert committee to propose a financial plan for NUJS for the next decade be formed at the earliest.

REYRS

The following action is requested:

POINT III

- The Hon'ble Council is most humbly requested to take prompt action to rectify such irregularities/inaction on irregularities

POINT IV

- Urgently and strongly consider the appointment of an external Officer on Special Duty with a record of unanimity and integrity as Registrar (Continuing)

POINT V

- Favorably look into the requests raised therein regarding specific URC recommendations

Yours sincerely

(on behalf of the entire NUJS student body)



Arjun Agarwal

President

Student Juridical Association, 2016-18



The West Bengal National University of Juridical Sciences

MINUTES OF THE 61st MEETING OF THE

EXECUTIVE COUNCIL

Held on 12th MAY 2018 AT 11.00 a.m.



The West Bengal National University of Juridical Sciences

**Minutes of the Sixty-First Meeting of the Executive Council of WBNUS held on Saturday,
12th May 2018 at 11.00 A.M.**

Sl.no	Agenda	Resolution	Remarks
1	Confirmation of the Minutes of the 60th Meeting of the Executive Council held on 7 th April 2018.	<p>The Minutes of the 60th Meeting of the Executive Council held on 7th April 2018 were placed for confirmation.</p> <p><u>Resolution</u></p> <ul style="list-style-type: none"> i) Action taken report in respect of the resolution of the 60th E.C. be circulated. ii) The Minutes are confirmed subject to the modification in respect of agenda item no. 12 to the extent that the contributory provident fund of Prof. Ishwara Bhat be released and the other terminal benefits be withheld and shall be subject to the result of the proposed enquiry against him. iii) As resolved by the Executive Council, a Committee to enquire the allegations against Prof. Ishwara Bhat be constituted as follows: <ul style="list-style-type: none"> 1. Vice Chancellor (Acting) – Convenor 2. Justice Ashim Kumar Roy 3. Advocate General Kishore Datta 4. Secretary Judicial iv) The President of the Student Association has made certain points by a letter dated 11th May, 2018 addressed to the E.C. in respect of some irregularities of the University. A two member Fact Finding Committee be set up consisting of: <ul style="list-style-type: none"> 1. Vice Chancellor 2. Advocate General 	

2	<p>Resignation of the Vice Chancellor & Formation of the Search Committee for appointment of the new Vice Chancellor</p>	<p>The matter arises out of the 60th Meeting of the Executive Council held on 07/04/2018 where the resignation of Prof. (Dr.) P Ishwara Bhat has been accepted by the Executive Council and Mr. Justice Amit Talukdar has been appointed as the Vice Chancellor (Acting) from 09th April 2018. The letter of acceptance of the offer by Mr. Justice Talukdar was enclosed.</p> <p>The handover and takeover of charges has been completed for the said office on 09/04/2018.</p> <p>Now, as per direction of the Executive Council in its Meeting held on 07/04/2018, the matter is placed before the Council for constitution / formation of the Search Committee for selection of the Vice Chancellor of the University.</p> <p>The Regulation and Procedure for appointment of the Vice Chancellor adopted in the 8th Meeting of the Executive Council on 13th April 2002 was placed.</p> <p>The Minutes of the 12th & 13th Meeting of the Executive Council dated 29/03/2003 and 26/07/2003 respectively and further in the 21st Meeting of the Executive Council dated 18/03/2006 constituting of First Search Committee was attached.</p> <p>The Minutes of the 23rd Meeting of the Executive Council dated 28/10/2006 constituting of Second Search Committee was attached.</p> <p>The Minutes of the 35th, 36th and 37th Meeting of the Executive Council dated 30/04/2011, 27/08/2011 and 19/11/2011 respectively constituting of Third Search Committee was attached.</p> <p>The relevant portion of the UGC Guidelines (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) (2nd Amendment), Regulations 2013 was also attached.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>Resolved that the Executive Council nominates the Hon'ble Chief Justice of Calcutta High Court. The Hon'ble Chancellor be requested to nominate his Lordship's nominee as the Chairman of the Committee. So also the State Government be requested to nominate a member at the earliest.</p> <p>At the next meeting, the General Council be also requested to nominate its member from amongst its members</p>	
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		excluding employees of the University to the Search Committee.	
3	Appointment of Registrar	<p>The matter arises out of the 60th Meeting of the Executive Council held on 07/04/2018 where the Council deferred the matter till the next meeting of the Executive Council and directed to provide a list of Professors and Additional Professors according to seniority and qualifications be circulated to the members of the Executive Council within a week by the Registrar (Acting).</p> <p>Accordingly, the same has been circulated to the members of the Executive Council by the Registrar (Acting) for their perusal and information. Seniority list and brief profile of each of the Professors was attached.</p> <p>The matter was submitted for kind perusal and direction.</p> <p><u>Resolution</u></p> <p>It is resolved that Mrs. Madhumati Mitra, presently Registrar General, Calcutta High Court, in addition to her present appointment, be appointed as Acting Registrar with immediate effect in place of Dr. Sarfaraz Ahmed Khan. It is further resolved that advertisement be given in respect of the vacancy of the post of the Registrar subject to the decision of the Court case filed by the previous Registrar. Such advertisement be given immediately in two leading English newspaper having national circulation and a Bengali vernacular newspaper having wide circulation in India by the Acting Registrar and the entire process be completed within the period of two months. For such purpose the Acting Vice Chancellor is authorized by the Executive Council to form a Selection Committee as per Regulation 8 (1) (II) (a) of the Regulations made under Section 13 of West Bengal Act IX of 1999. Vice Chancellor is authorized to nominate two experts as members of the Selection Committee.</p> <p>Dr. S. A. Khan will hand over the charge to Mrs. Madhumati Mitra on 14/05/2018.</p> <p>The Council records appreciation for the service of Dr. Sarfaraz Ahmed Khan.</p> <p>It is further resolved that the post of Assistant Registrar (Administration) be filled up by a Faculty Member namely</p>	

		Dr. Anupama Ghosal.	
4	Review Commission Report	<p>The matter arises out of the 60th Meeting of the Executive Council held on 07/04/2018 where the Executive Council deferred the matter for detail discussion preferably within 15/20 days.</p> <p>Accordingly, the matter again be placed before the 61st Meeting of the Executive Council for its perusal and direction.</p> <p><u>Resolution</u></p> <p>Discussed in respect of the Review Commission Report the issue is deferred to the next meeting. In the mean time necessary steps be taken in this regard and reports be filed before the concerned committees as suggested in the URC.</p>	
5	Recruitment of the Accounts Officer and Finance Officer.	<p>The matter arises out of the 61st Meeting of the Executive Council to be held on 07/04/2018 (Agenda Item No. 6).</p> <p>The Executive council directed that the Registrar will ascertain the qualification prescribed by the UGC for the post of Finance Officer or Equivalent and modify the draft advertisement and place it before the members of the Executive Council for approval by circulation.</p> <p>Accordingly the matter has been circulated to the members of the Executive Council which were enclosed as follows :</p> <p>a) the essential qualifications set by the UGC and other central universities were already incorporated in the draft Advertisement placed in the earlier meeting of the Executive Council.</p> <p>b) one additional clause for essential qualifications has been incorporated in the Advertisement recently published by the National Law University, Orissa (NLUO) forwarded by Prof. Venkata Rao, Vice Chancellor, NLSIU, Bengaluru that “Chartered Accountant with at least 10 years of experience in total and experience with construction related works in Universities / Educational Institutions will be highly preferred”.</p> <p>Submitted for directions whether to adhere to the earlier advertisement as per para (a) above or to add any additional qualifications such as mentioned in para (b).</p> <p><u>Resolution</u></p>	

		<p>The Acting Vice Chancellor and Dr. R.S. Shukla are authorized to finalize the qualifications of the Finance Officer whereupon the advertisements will be published in the newspaper at the earliest. The Acting Vice Chancellor is authorized to constitute a Committee for selection of the posts of Accounts Officer. The advertisement for the post of Accounts Officer be also published along with the advertisement for Finance Officer. Till such time the regular Accounts Officer is appointed Mr. Shiharan Kumar Basu will continue as Accounts Officer.</p>	
6	<p>Nomination of Membership regarding – Dr. S. A. Khan.</p>	<p>Dr. Sarfaraz Ahmed Khan, Assistant Professor (Law), WBNUJS has been recently nominated by the then Vice Chancellor, WBNUJS and Chairman of the Executive Council, Prof. (Dr.) P. Ishwara Bhat as the member of the Executive Council under Clause 7(1) (j) of the Schedule of the WBNUJS Act, 1999 by letter dated 15/03/2018.</p> <p>The Executive Council in its last meeting directed that “The Clause for appointment of the Assistant Professor category will be kept in abeyance till the amendment of the WBNUJS Act is made with tenure of one year for the incumbent and is to be raised in the next General Council for necessary action”.</p> <p>Now, Dr. Khan has prayed before the members of the Executive Council to allow him to continue as a member which was enclosed herewith.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The matter is deferred to the next meeting of the Executive Council.</p>	
7	<p>Nomination of Membership regarding – Prof. (Dr.) Arup Kumar Poddar, Professor of Law, WBNUJS, Prof. (Dr.) TVGNS Sudhakar, Professor of Law, WBNUJS and Prof. (Dr.)</p>	<p>The University is in receipt of a note submitted by the three professors namely Prof. (Dr.) Arup Kumar Poddar, Professor of Law, WBNUJS, Prof. (Dr.) TVGNS Sudhakar, Professor of Law, WBNUJS and Prof. (Dr.) Sreenivasulu N.S., Professor of Law, WBNUJS regarding their membership in the Executive Council (E.C.) in the Professor Category (Annexure 7A) under Clause 7(1) (i) of the Schedule of the West Bengal National University of Juridical Sciences Act, 1999.</p> <p>A brief history of the various Professors under this Clause is placed below :</p> <ol style="list-style-type: none"> 1. Prof. Bhavani Prasad Panda – 3rd E.C. to 6th E.C. 2. Prof. Gangotri Chakraborty – 3rd E.C. to 16th E.C. 	

	Sreenivasulu N.S., Professor of Law, WBNUJS	<p>3. Prof. Shamnad Basheer – 31st E.C. to 45th E.C. 4. Prof. Sudhir K. Swamy – 31st E.C. to 34th E.C. 5. Prof. Manoj Kumar Sinha – 35th E.C. to 47th E.C. 6. Justice Mr. Altamas Kabir – 48th E.C. till April 2017. Once Prof. Manoj Kumar Sinha, Professor of Law, WBNUJS joined ILI on lien, one post became vacant. Similarly, after demise of Hon'ble Justice Altamas Kabir another post also become vacant. Out of the two post for "Associate Professor or Professor" category, Prof. Anirban Majumdar become a member on 14/03/2016 and one post is lying vacant. Professor Anirban Mazumder has been appointed as Professor of Law on 13/11/2017. The matter was submitted for directions</p> <p><u>Resolution</u></p> <p>The matter is deferred to the next meeting of the Executive Council.</p>	
8	Nomination of Membership regarding – Dr. Anupama Ghosal, Assistant Professor (Social Sciences).	<p>Dr. Anupama Ghosal, Assistant Professor (Social Sciences) have submitted an application regarding membership in the meeting of the Executive Council under Clause 7(1) (j) of the Schedule of the WBNUJS Act, 1999. Submitted for directions.</p> <p><u>Resolution</u></p> <p>The matter is deferred to the next meeting of the Executive Council.</p>	
9	Application for Lien	<p>The matter arises out of the 60th Meeting of the Executive Council held on 7th April 2018. The copy of the resolution made thereon has been forwarded to the concerned faculty member for her information. Now, Ms. Mercy K. Khaute, Assistant Professor in Law under ST Category have forwarded an e-mail to the Vice Chancellor which is self explanatory. The matter was submitted for kind perusal and direction.</p> <p><u>Resolution</u></p> <p>The matter is deferred to the next meeting of the Executive Council.</p>	

10	Prayer for increment of contractual salary for Mr. Manabendra Ghosh, DEO, SDME	<p>The University received a prayer from Mr. Manabendra Ghosh, DEO, SDME for increment in his salary from Rs. 30000/- to Rs. 70000/- p.m.</p> <p>Mr. Ghosh is working with WBNUJS since 2008 and due to the conditions beyond control his salary has been reduced. His prayer regarding the same was enclosed.</p> <p>The Finance Committee directed in its 102nd Meeting held on 25/01/2018 that the University shall conduct review of Mr. Manabendra Ghosh's work and place the report in the meeting of the Finance Committee for further deliberation and discussion.</p> <p>The University is in the process of reviewing the work of Mr. Manabendra Ghosh and the same will be put up at the earliest to the Finance Committee.</p> <p>In order to review the work of Mr. Manabendra Ghosh a three members committee is constituted. Office Order was annexed. Due to some unavoidable circumstances meeting was not held till now.</p> <p>It may be mentioned here that due to pendency of his application his renewal was not done. As a result he is not getting any salary while he is discharging all responsibility. Submitted for information and direction.</p> <p><u>Resolution</u></p> <p>Mr. Manabendra Ghosh has applied for increase of his salary. He was in contractual service. It is resolved that the system of contractual agreement be done away with. Steps be taken to fill up the post with permanent employee at the earliest. In the interregnum Mr. Manabendra Ghosh shall continue in the existing arrangement of with salary of Rs. 30,000/- p.m. His arrear salary shall be released forthwith.</p>	
11	Permission to take part in the Public International Law Session at the Hague Academy of International Law, July 9-27,	<p>Dr. Shuvro Prosun Sarker, Research Associate, Centre for Regulatory Studies, Governance and Public Policy (CRSGPP), WBNUJS has prayed for permission to take part in the <u>Public International Law Session at the Hague Academy of International Law</u> to be held between 9th July to 27th July 2018 and granting him on duty leave or any other appropriate paid leave for taking part in this course.</p> <p>In this regard, the then Research Fellow, CRSGPP, Prof. (Dr.) T. R. Subramanya has also recommended him to attend</p>	

	2018	<p>this prestigious fellowship. Submitted for directions.</p> <p><u>Resolution</u></p> <p>The leave of Dr. Shuvro Prosun Sarker be granted without any financial burden of the University.</p>	
1.	<p><u>Additional Agenda Items</u></p> <p>Prayer for Earned Leave of Mr. Saurabh Bhattacharya, Assistant Professor, WBNUJS</p>	<p>The University authority have received a prayer from <u>Mr. Saurabh Bhattacharya, Assistant Professor, WBNUJS</u> regarding sanctioning of Earned Leave from July to October 14, 2018 for the purpose of completion of his Ph.D. Thesis. The Leave Rules for Faculty members are enclosed as ready reference and the modification of the same which is approved by the 55th Meeting of the Executive Council in its meeting held on 15/07/2017.</p> <p>The University administration has checked his eligibility for the Earned Leave (EL) and found that he has 83 days of EL in his credit.</p> <p>The matter was submitted for perusal and directions.</p> <p><u>Resolution</u></p> <p>The matter is deferred to the next meeting of the Executive Council.</p>	
2	<p>Organisational Status of the Centre for Regulatory Studies, Governance and Public Policy (CRSGPP), WBNUJS</p>	<p>CRSGPP was set up in the year 2015 by the Government of West Bengal for carrying various Research Activities mainly in the State of West Bengal. However there was no guiding document defining the eligibility criteria for various posts. A draft is prepared for selection of various vacant posts of the Centre with eligibility criteria which was enclosed. The matter was put up for perusal and directions.</p> <p><u>Resolution</u></p> <p>The matter is deferred to the next meeting of the Executive Council.</p> <p>.</p>	

3	Rent for Flat on 44, Iron Side Road, Kolkata – 700019 – Matter regarding	<p>The University is paying rent for the Government flat no. B-5 situated on 44, Iron Side Road, Kolkata – 700019 as the residence of the Vice Chancellor @ Rs. 2000/- per month till date.</p> <p>As Prof. (Dr.) P. Ishwara Bhat has resigned from the post of the Vice Chancellor, WBNUJS the flat will remain vacant and is not being used presently.</p> <p>Now the Executive Council may direct on retaining the said flat.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The matter is deferred to the next meeting of the Executive Council.</p>	
4	Appeal against Distance Education and Online Course	<p>Dr. Arup Kumar Poddar, Professor of Law, WBNUJS and Member Academic Council, WBNUJS forwarded a noting about a petition filed by Mr. Pinaki Ranjan Banerjee, Advocate, Calcutta High Court dated 09/09/2016 on Distance Education and Online Courses in the University.</p> <p>The matter was placed before the Academic Council in its 32nd Meeting held on 10/04/2018 who decided as follows;</p> <p>“Deferred. Prof. Patnaik objected with regard to the maintainability of the note as it has been addressed to the Chancellor and her dissent is recorded.</p> <p>With regard to Distance Education and Online Course at WBNUJS the members were of the opinion that additional clarity is required to the effectively deliberate on the matter. The same may be procured and put in the next meeting after considering the objection of Prof. Anirban Mazumder, Prof. Sandeepa Bhat B. and Prof. Vaneeta Patnaik it is decided that all future activities should be put on status quo as on date. Be it noted this would not be applicable to the course conducted by University alone without any private partnership”.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The matter is deferred to the next meeting of the Executive Council.</p>	

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5	Renewal of the faculty members	<p>The tenure of the following guest faculty members / faculty members who were on contract / adhoc basis will come to end or has ended as per the tabulated format mentioned below.</p> <table><tr><th>Sr . No.</th><th>Name of the Faculty Member</th><th>Date of end of the Contract period</th><th>Subjects to be taught in the Monsoon Semester 2018, if renewed</th><th>Salary drawn at present</th></tr><tr><td>1</td><td>Ms. Ankita Mookherjee</td><td>30/06/2018 (Annexure AA5A)</td><td>English Literature & Language</td><td>Rs. 25,000 (Consolidated)</td></tr><tr><td>2</td><td>Ms. Anuradha Roy Chowdhury</td><td>30/04/2018 (Annexure AA5B)</td><td>Legal method & Corporate Governance</td><td>Rs. 35,000 (consolidated)</td></tr><tr><td>3</td><td>Ms. Paramita Dasgupta</td><td>21/07/2018 (Annexure AA5C)</td><td>IPR, International trade & Human Rights Law to 5th year and Medicine and Public Health Law to 4th year students</td><td>Rs. 30,000 (consolidated)</td></tr><tr><td>4</td><td>Mr. Kumarjit Ray</td><td>30/06/2017 (Annexure AA5D)</td><td>Legal Method and Clinic (Drafting)</td><td>Rs. 15600-39100 with a grade pay of Rs. 6000/-. He is presentl</td></tr></table>	Sr . No.	Name of the Faculty Member	Date of end of the Contract period	Subjects to be taught in the Monsoon Semester 2018, if renewed	Salary drawn at present	1	Ms. Ankita Mookherjee	30/06/2018 (Annexure AA5A)	English Literature & Language	Rs. 25,000 (Consolidated)	2	Ms. Anuradha Roy Chowdhury	30/04/2018 (Annexure AA5B)	Legal method & Corporate Governance	Rs. 35,000 (consolidated)	3	Ms. Paramita Dasgupta	21/07/2018 (Annexure AA5C)	IPR, International trade & Human Rights Law to 5 th year and Medicine and Public Health Law to 4 th year students	Rs. 30,000 (consolidated)	4	Mr. Kumarjit Ray	30/06/2017 (Annexure AA5D)	Legal Method and Clinic (Drafting)	Rs. 15600-39100 with a grade pay of Rs. 6000/-. He is presentl	
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		<table> <tr> <td></td> <td></td> <td></td> <td></td> <td>y drawing Rs. 65752/- (Gross Salary)</td> </tr> </table> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The tenure of the above faculties are renewed for a period of one year or till regularly selected person is available whichever is earlier. In the meantime steps be taken for filling up the regular posts.</p>					y drawing Rs. 65752/- (Gross Salary)	
				y drawing Rs. 65752/- (Gross Salary)				
6	Emoluments of the Vice Chancellor from the University on tendering his resignation	<p>The matter arises out of the Agenda Item No. 12 and Additional Agenda Item No. AA1 of the 60th Meeting of the Executive Council held on 07/04/2018 where the details of the emoluments audited by the Auditors of the University namely M/s. Sen & Co. were placed. However the direction of the Executive Council on the relevant context is put up as per the extract of the Minutes drawn for such - “Appreciating the urgency arising from these circumstances and his unwillingness to continue in the present situation, the Executive Council accepts his resignation by relaxing the notice stipulation of one month. It is accordingly resolved that the resignation of Prof. Ishwara Bhat will take effect in terms of Regulation 11 on the conclusion of this meeting. It is further resolved that he will be paid one month’s salary in lieu of the notice period and all his consequential admissible financial benefits will be released at the earliest”. Also Prof. Bhat e-mailed a letter to the Vice Chancellor (Acting) for granting his terminal benefits. Accordingly the following administrative functionalities has been completed in regard to his admissible financial benefits and has been summarized as follows : .</p> <p>1. Notice period salary – Prof. P. Ishwara Bhat had handover the enclosed items to the office before departing to his home town on 30-04-2018. His salary from 1st April 2018 to 7th May 2018 was withheld due to non issuing of no dues clearance certificate. Later, the no dues certificate was issued when he had handover the flat to the office. Authorities may decide whether to release the salary</p>						

		<p>from 1st April 2018 to 7th May 2018.</p> <p>2. Transport allowance – Prof. P. Ishwara Bhat had submitted air fare bills pertaining to travel from Kolkata to Mysore [Rs 19,760/-] and incurred a sum of Rs. 1600/- as bus fare by him along with his spouse. Prof. P. Ishwara Bhat had also submitted a bill for transportation of personal effects by road of Rs. 45,000/-. As previous Vice Chancellor's had been provided the same facilities, authorities may direct on the above matter.</p> <p>3. Contributory Provident Fund – As per auditor report, Prof P. Ishwara Bhat balance is the Contributory Provident Fund A/c is Rs 15,66,300/-. Authorities may direct whether to release the amount of Rs. Rs 15,66,300/- accumulated in his CPF. A/c.</p> <p>4. Gratuity - In terms of decision of the 6th Executive Council meeting regarding The NUJS Contributory Provident Fund Cum Gratuity Rules, Chapter – III clause (5) Death Cum Retirement Gratuity is admissible to regular Employee who retires or dies, as the case may be, after 5 years of service at the rate of 'half' of emoluments for each completed half yearly period of service subject to a maximum of sixteen and half times the emoluments or the amount as fixed by the Government for this purpose, whichever is less. As Prof. P. Ishwara Bhat had completed 6 years 4 months of continuous service, he is eligible for a gratuity for (15 days/half yearly completed service) [15 days x 12] = 180 days. Total amount payable to Prof. P. Ishwara Bhat = 180 days x [Basic + DA]. The maximum ceiling for gratuity payable as per 6th CPC norms is Rs. 10,00,000/-.</p> <p>5. Earned Leave Salary –</p> <p>a. As per NUJS Act Where an employee retires on attaining the normal age prescribed for retirement under the terms and conditions governing his service, the authority competent to grant leave shall suo motu issue an order granting cash equivalent of leave salary for earned leave if any, at the credit of the employee on the date of his retirement, subject to a maximum of 300 days. Hence, the total cash payment in lieu of leave to be paid by the University will be for 190.5 days. Total amount payable [190.5 x [Basic</p>	
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		<p>+ DA]]</p> <p>b. However, Chapter – III Sec 19 clause no (vi) (a) (i), If an employee resigns or quits service, he may be granted, suo motu, by the authority competent to grant leave., cash equivalent in respect of earned leave at his credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of 120 days. Prof. P. Ishwara Bhat total leave earned accumulated is 190.5. Hence, the total cash payment in lieu of leave to be paid by the University will be for $190.5/2 = 95.25$ days. Total amount payable $[95.25 \times [\text{Basic} + \text{DA}]]$. Authorities may kindly decide whether Prof. P. Ishwara Bhat will paid 190.5 days or 95.25 days.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The Resolution is same as agenda item no. 1.</p>	
7	Ratification of the 32 nd Meeting of the Academic Council	<p>The Minutes of the 32nd Meeting of the Academic Council held on 10/05/2018 are placed for perusal and ratification.</p> <p><u>Resolution</u></p> <p>Executive Council ratified the Minutes of the 32nd Meeting of the Academic Council held on 10/05/2018.</p>	
8	Any other matter with permission of Chair	<p>Centre for Child Rights</p> <p><u>Resolution</u></p> <p>The matter pertains to renewal of the agreement between the UNICEF and the University for running of the Centre for Child Rights. The members noted with concern the allegations regarding functioning of the CCR and the lack of control of the University in the utilization of funds and also conducting courses parallely and awarding certificates without the consent and approval of the University and the Executive Council.</p> <p>Since the earlier agreement between the UNICEF and the</p>	

		<p>University expired on 30th April, 2018 it is thought fit that the agreement with the UNICEF be permitted to be renewed by a Committee subject to the following steps been taken.</p> <ol style="list-style-type: none"> The Committee shall be comprised of Mr. Bharatendu Nath Srivastava, Mr. Jishnu Saha and the Acting Registrar Ms. Madhumati Mitra. The Committee shall scrutinize the agreement to be executed between the UNICEF and the University and on being satisfied shall recommend for renewal of such agreement whereupon the Acting/Regular Vice Chancellor shall sign the agreement on behalf of the University. The Committee is authorised to look into all the allegations pertaining to the functioning of the CCR till today including the Utilization of funds so far and place a report before the Executive Council in its next meeting. The Committee shall monitor the day to day functioning of the CCR including all expenses to be incurred hereafter subject to the express approval of the Acting/Regular Vice Chancellor. The faculty members shall be nominated for rendering services in the CCR by the Vice Chancellor under his authority without compromising the academic schedule. The CCR is prohibited from awarding degree/diploma or any certificates to the students without the express approval of the Executive Council. The students of the University will not be allowed to carry out any research work in the CCR. Prof. Ruchira Goswami shall handover all related documents concerning the CCR including the agreements with UNICEF so far and the functioning and all documents relating utilization of funds till date to the Committee for its scrutiny and further recommendation. The Committee shall be at liberty to seek all clarifications and documents and other evidences as it thinks fit for placing its report to the Committee. The same Committee shall look into the agreements and functioning of the other Centres/Projects run in the University premises and the above guidelines shall apply to the other projects also. <p>An unsigned application was submitted to the Vice</p>	
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		Chancellor where conflict of the interest of the employee is stated (Annexure AA8A). The matter is also referred to the Committee.	
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To

The Vice Chancellor

The West Bengal University of Juridical Sciences

Kolkata, West Bengal

Sub: Conflict of Interest of the Employee of West Bengal National University of Juridical Sciences

Respected Sir, with great hope we, as well wishers, are bringing to your notice the activities of one of the employee of your organization viz. Ms. Vanecta Patnaik. She on 3/01/2017, has started a LLP named EFFULGENT EDUCATORS LLP. She is one of the designated partners along with one of the alumni of your organization namely Mr. Rook Ray and his wife Ms. Roopsha Dasgupta. We are enclosing the relevant documents, as proof of the same. The declared business of the LLP as stated in the Form 2 is "to run educational institutions, coaching centers and to operate in all other fields of related jobs." The subscriber document (Annex 2) clearly state that the partners are desirous of "carrying on a lawful business with a view to earn profit...".

These statements and the act of running an LLP in the field of education and related business is clearly detrimental and harmful to the interest of The West Bengal National University of Juridical Sciences (hereinafter called WBNUJS). Further it is a serious case of a conflict of interest and is patently against the well being of WBNUJS. Considering WBNUJS is a public university and public funds is involved as well as future of hundreds of students are involved, this act of profiteering by one of its employee is to say the least is an act contrary to principles of accountability and ethics.

Sir, hence as public spirited citizen we urge you to take this up and report it to the Governing Councils of WBNUJS for enquiry and necessary action. We hope for apt and just action in the matter.

Thanking You in anticipation

Yours Truly

Public Spirited Citizen for Education,

A Non-Governmental Organisation

Radha Gobond Nath Sarani, Rajendra Prasad Colony, Tollygunge Kolkata, West Bengal 70003

SUMMARY OF FACTS RELATING TO A CASE OF CONFLICT OF INTEREST OF AN EMPLOYEE OF WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL SCIENCES

Name of the Employee: Vaneeta Patnaik

The Annexures provided herewith are proof of Conflict of Interest and Misrepresentation as well as Non-Disclosure and Breach of Trust:

1. Partnership formed while in employment of WBNUJS, to earn profit
 - a) Ms Patnaik is a designated partner in an LL.P viz. Effluent Educators (Refer to page 4 of Annexure 2 (B) as highlighted)
 - b) The LLP was incorporated in the year 3/1/2017 (Annexure 1 (A) as highlighted)
 - c) Business of the LLP is “to run educational institutions, coaching centers and to operate in all other fields of related jobs” (page 1 of Annexure 2 (B) as highlighted)
 - d) There are 3 Partners with following Capital Contribution:
 - i) Rook Ray- Rs. 25000/- (page 2 of Annexure 2 (B))
 - ii) Roopsha Dasgupta-Rs. 25000/- (page 3 of Annexure 2 (B))
 - iii) Vaneeta Patnaik- Rs. 50000/- (page 4 of Annexure 2 (B) as highlighted)
2. Annexure 3 (C) –Proof of filing of addendum for rectification of defects or incompleteness-LLP Form No. 32
3. Specimen Signature of Ms Patnaik on the documents to Register the Partnership Effluent Educators as LLP (page 3 of Annexure 4 (D) as highlighted)
4. Specimen Signature of Ms. Patnaik on the document signed as a declaration of consent to be a partner in a profit earning LLP (Annexure 5 (E) as highlighted in page 1 and 2)
5. Annexure 6 (F)- Search Report of the property to be used as office of the LLP Effluent Educators (the address is highlighted)
6. Annexure 7 (G)- Proof of Property Tax paid for the office space of LLP Effluent Educators (the address is highlighted)
7. The LLP Effluent Educators was permitted to run a certificate course on Real Estate Laws (as highlighted in Page 4 of Annexure 8 (H)). The same was approved in the 29th Academic Council Meeting Dated 22/4/2017 in which Ms. Patnaik was also the member and had participated in the deliberation as well as decision making process. (the same is highlighted on page 1 of Annexure 8 (H)). The same is a clear proof of her malafide intentions to dupe the WBNUJS and use this organization as a source for her profit making initiative.

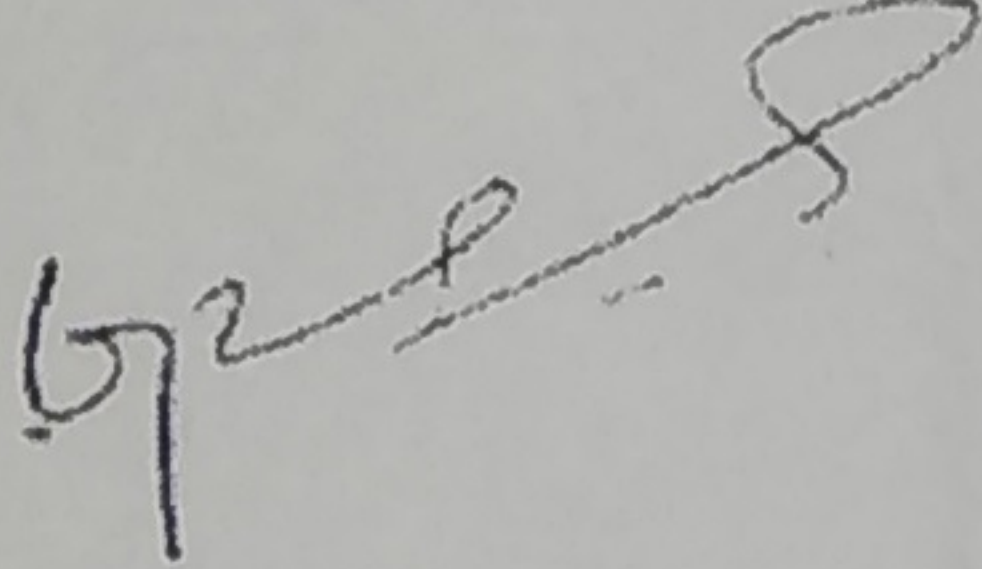
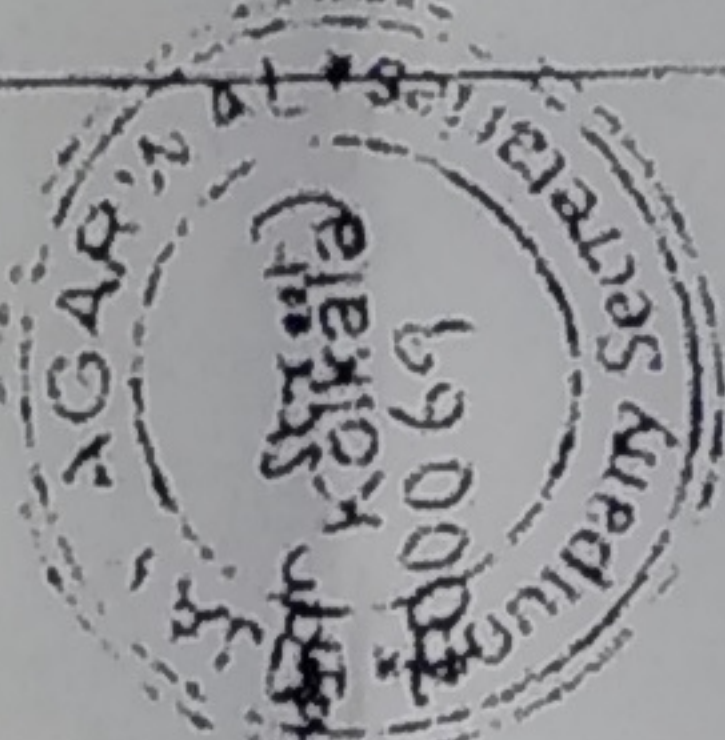
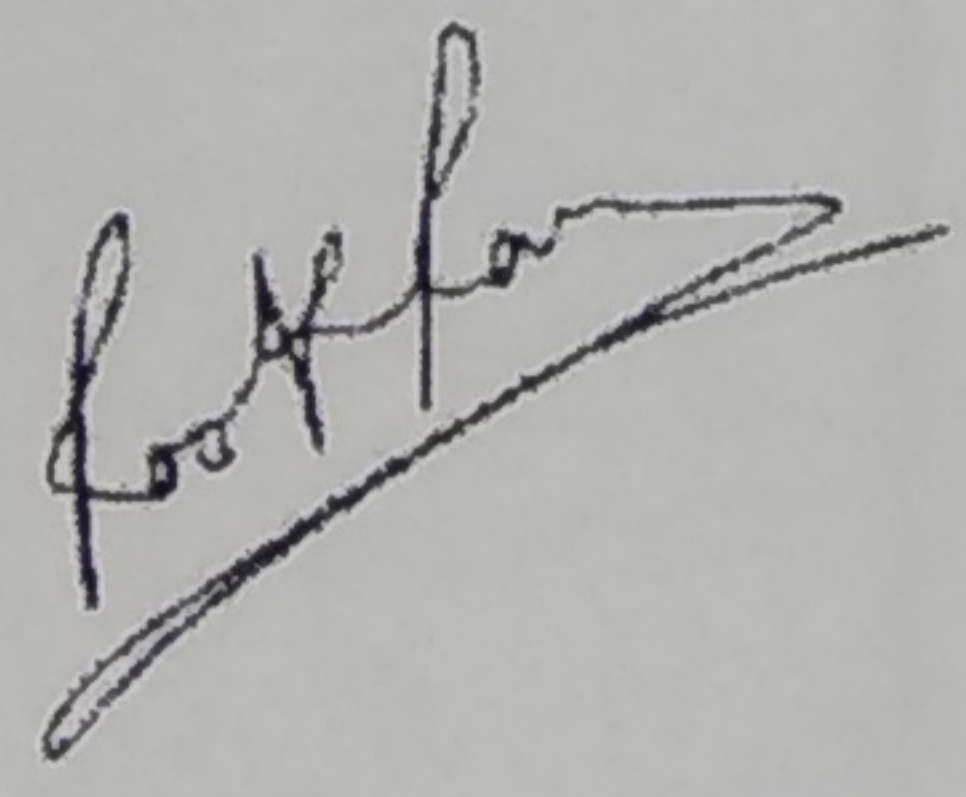
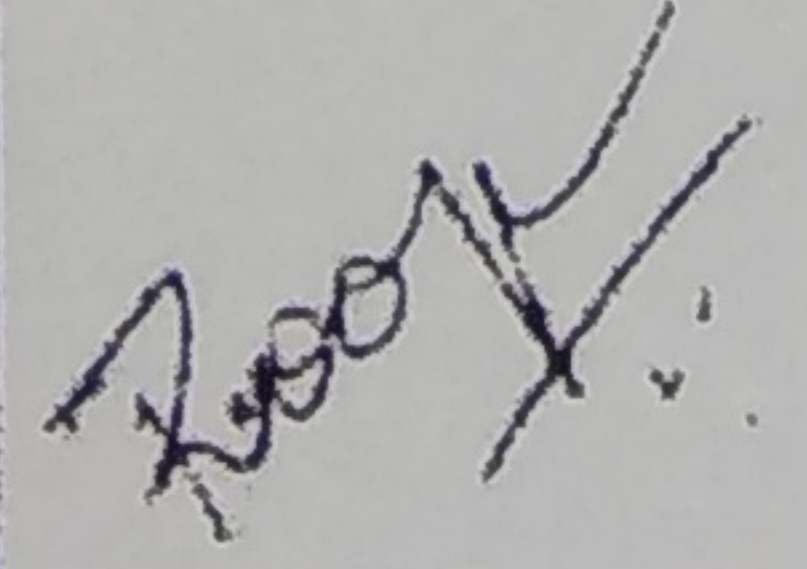
ANNEXURE 5

EFFULGENT EDUCATORS LLP

We, the several partners whose names are subscribed below, are desirous of being formed into a LLP for carrying on a lawful business with a view to earn profit and have entered or agreed to enter into a LLP agreement in writing.

We respectively agree to contribute money or other property or other benefit or to perform services for the LLP in accordance with the LLP agreement, the particulars of which are stated against our respective names.

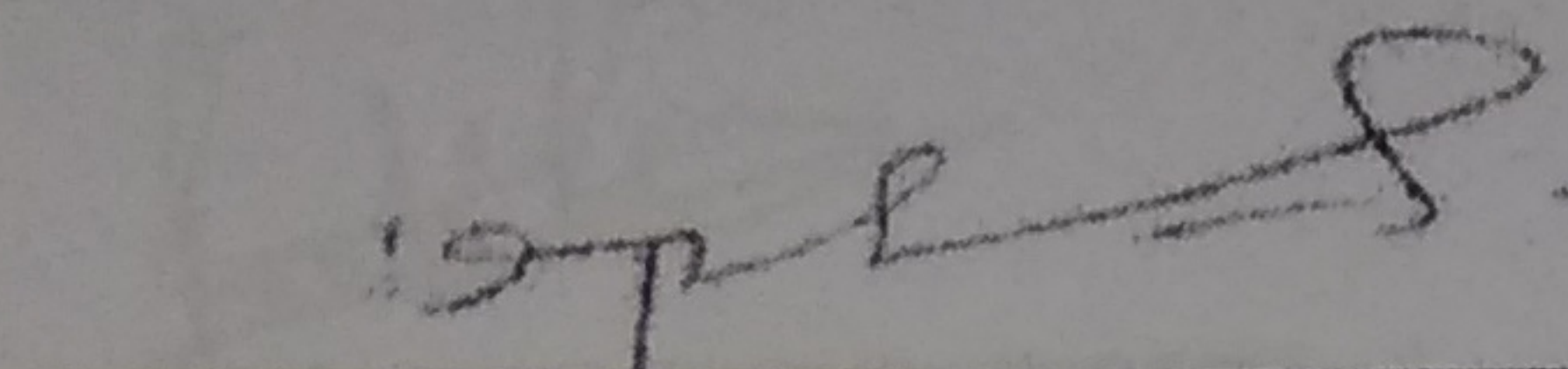
We hereby give our consent to become a partner/ designated partner/ nominee/ nominee & designated partner of the LLP pursuant to Section 7(4) / 25(3)(c) of the Limited Liability Partnership Act, 2008.

Name, Father's Name & Address of each Partner/ Designated Partner/ Nominee/ Nominee & Designated Partner	Designation (Designated Partner/ Partner/ Nominee/ Nominee & Designated Partner)	Signature of Partner/ Designated Partner/ Nominee/ Nominee & Designated Partner	Name, Address and Profession (along with Professional Membership number) of Witness	Signature of Witness
Vaneeta Patnaik D/o: Murli Mohan Patnaik MB-38, Badgad, Brit Colony, Badagarh Bril Colony, Khorda-751018 Orissa, India	Designated Partner		<p><u>Witness to all the Signatories:-</u></p> <p>Bijay Agarwal S/o: Shri Ramesh Agarwal</p> <p>16/1A, Abdul Hamid Street (British Indian Street), 4th Floor, Room No.4B, Kolkata-700069, West Bengal</p> <p>Occupation: Self-Employed (Company Secretary in Whole-time Practice)</p> <p>Membership No: 36489 and Certificate of Practice No.: 13549</p>	 Bijay Agarwal S/o: Ramesh Agarwal 16/1A Abdul Hamid Street (British Indian Street), 4th Floor, Room No. 4B, Kolkata-700069, West Bengal Occupation: Self Employed (Company Secretary in whole time practice) Membership No:- 36489 and Certificate of Practice No.: 13549
Rook Ray S/o: Amitabha Ray House No. BL-196, Sector-2, Salt Lake City, Kolkata-700091, West Bengal, India	Designated Partner			
Roopsha Dasgupta D/o: Ratan Dasgupta 12/D/10, Durgan Pr Paramhansa Road Naktala, Mezanine Floor FI-A/2 Kolkata- 700047 West Bengal, India	Designated Partner			

CONSENT OF DESIGNATED PARTNER

I, **VANEETA PATNAIK**, having **DIN: 07674244**, hereby give my consent to become a designated partner of the Limited Liability Partnership: **EFFULGENT EDUCATORS LLP**, pursuant to Section 7(4)/ 25(3)(c) of the Limited Liability Partnership Act, 2008.

I also hereby confirm the contribution specified in the LLP agreement and undertake to contribute money or other property or other benefit or to perform services for LLP as per my obligations described in the LLP agreement.



(VANEETA PATNAIK)

Date: 28/12/2016

Place: Kolkata

1. Confirmation of minutes of 29th meeting

MINUTES OF THE TWENTY-NINTH MEETING OF THE ACADEMIC COUNCIL OF WBNUJS
held on 22nd April, 2017 at Dr. Ambedkar Bhavan, 12 LB Block, Sector – III, Salt Lake, Kolkata – 700098.

The twenty-ninth meeting of the Academic Council was held on Saturday, 22nd April 2017 at Dr. Ambedkar Bhavan, Salt Lake, Kolkata – 700 098.

The following members were present:-

1. Prof. (Dr.) P. Ishwara Bhat,
Vice-Chancellor, Chairman, Academic Council, WBNUJS, Kolkata.
 2. Prof. (Dr.) Poonam Saxena
Member, Academic Council.
 3. Prof. (Dr.) A. Lakshminath
Member, Academic Council.
 4. Prof. (Dr.) Arup Kumar Poddar
Member, Academic Council.
 5. Prof. (Dr.) Sreenivasulu N. S.
Member, Academic Council.
 6. Prof. (Dr.) T. V. G. N. S. Sudhakar
Member, Academic Council.
 7. Prof. (Dr.) Sandeepa Bhat B.
Member, Academic Council.
 8. Dr. Anirban Mazumder
Member, Academic Council.
 9. Ms. Vaneeta Patnaik
Member, Academic Council.
 10. Dr. Anupama Ghoshal
Member, Academic Council
- Mr. Sarfaraz Ahmed Khan, Registrar (Acting), WBNUJS, was also present in the Academic Council Meeting.

Prof. (Dr.) M. K. Sinha, Prof. (Dr.) Faizan Mustafa, , Mr. Asok Deb, Prof. Subrata Kumar Dey, and Mr. Priyanka Ghosh, could not attend the meeting due to their preoccupations.

The Chairman welcomed the members and started the proceedings of the Academic Council Meeting.

Following agenda points were discussed and decided accordingly.

Minutes of the 28th Academic Council Meeting

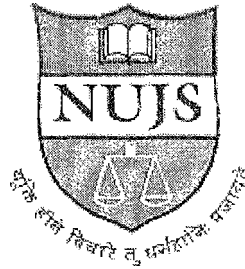
Sl. No.	Agenda Items	Resolution	Remarks/ Action taken
1.	Confirmation of Minutes of the 28th A.C. Meeting, NUJS.	The Honourable members confirmed and approved the Minutes of the 28 th Academic Council Meeting.	
2.	Proposed distribution of subjects for B.A./B.Sc. LL.B Course	The Chairman directed to consider all aspects of distribution of subjects and faculty Advisory Committee (FAC) would decide distribution of subjects and the same will be circulated to the Academic Council members for their approval.	
3.	Draft Student Exchange Agreement between The School of Law, University of Sheffield, UK and WBNUJS	The honourable members noted and approved the draft Student Exchange agreement. The Council members also directed that if required, rectification can also be done.	

4.	Amendment of Ph.D Regulations	<p>The honourable members approved the Ph.D Regulations and also approved for implementation with effect from 2017 batch onwards. The Academic Council members also decided that the previous Ph.D Regulations will be applicable to the batches up to 2016. The new Regulations will be applicable from the 2017-July batches onwards.</p> <p>Separate entrance examinations for the interdisciplinary candidates will be held and separate papers for course work examinations will also be held.</p> <p>Honourable members advised that the term course work supervisor may be used instead of Notional supervisor.</p>	
5.	Institution of 40 new Endowment Gold Medals	The matter is deferred and the Council members have authorised the Chairman to negotiate the matter with the donor to have minimum 02 (two) lakhs as endowment fund for each medal.	
6.	MOU for MA in Business Laws	The honourable members approved the MOU for MA in Business Laws.	
7.	Draft MOU between Bangabandhu Sheikh Mujibur Rahman Maritime University, Bangladesh and WBNUJS	Honourable members noted and approved the MOU.	
8.	Adoption of amended UGC Regulations on appointment of Academic Staff and promotion under CAS (Career Advancement Scheme)	Honourable members noted and approved the amended UGC Regulations on appointment of Academic Staff and promotion under CAS (Career Advancement Scheme).	
9.	Offering two Foreign National category seats in LL.M programme to NRI category in case of non admission in the former	The honourable members approved the proposal to transfer two Foreign National category seats in LL.M programme to NRI category in case of non availability of Foreign National category students.	
10.	Draft MOU between Asian Institute of Public Policy and Development Studies, Kolkata (AIPPPDS) and WBNUJS	The honourable members approved the draft MOU between AIPPPDS and WBNUJS.	
11.	Proposal to hold separate admission test for Ph.D candidates with non law background	The honourable members dropped this proposal since the new Ph.D Regulations has the provision for admission test for Ph.D candidates with non law backgrounds.	
12.	Amendment in marks breakup in Post Graduate Diploma in IPR	The honourable members approved the proposed marks break up in Post Graduate Diploma in IPR.	
ADDITIONAL AGENDA			
AA1	Proposal to start a new Post Graduate Diploma Course titled Post Graduate Diploma in International Relations, International Law and Strategic Studies (IRILSS) by Dr. Anupama Ghoshal	The members approved the same.	

AA2	Proposal to start two new Post Graduate Diploma Courses on Child Rights under The Centre for Child Rights, WBNUJS	The members approved the same.	
AA3	Proposal to start a Certificate Course on Child Rights and Protection in India under The Centre for Child Rights, WBNUJS	The members approved the same.	
AA4	Proposal to start a Certificate Course on Real Estate and Land Laws, Benami Transactions and Debt Recovery offered by The Centre for Financial & Regulatory Governance Studies, WBNUJS in partnership with M/s. Effulgent Educators	The members approved the proposal to start a Certificate Course on Real Estate and Land Laws, Benami Transactions and Debt Recovery offered by The Centre for Financial & Regulatory Governance Studies, WBNUJS in partnership with M/s. Effulgent Educators.	
AA5	Inclusion of new members in Recruitment Panel	The honourable members approved the proposal with inclusion of few more members in the Recruitment panel. The list is separately annexed.	
AA6	Proposal from Government of West Bengal for opening branches of NUJS	<p>The proposal of Government of West Bengal for opening branches of NUJS at Asansol and Siliguri of West Bengal, which was forwarded by Executive Council, was discussed at length among the members of the Academic Council for having branches of NUJS at Asansol and Siliguri.</p> <p>On the basis of the deliberation and discussion in the Academic Council about opening branches of NUJS at Asansol and Siliguri, the honourable members advised to constitute a committee of the following Academic Council members to submit a report for opening branches of NUJS at Asansol and Siliguri:</p> <p>Prof. Lakshminath – VC, NLU, Patna Prof. Poonam Saxena – VC, NLU, Jodhpur Prof. A. K. Poddar – Professor of Law, NUJS, Kolkata Mr. Sarfaraz Ahmed Khan – Registrar, NUJS, Kolkata as Secretary</p> <p>The committee will submit its report to the Chairman of Academic Council within three months from the date of constitution of the Committee.</p>	
AA7	Proposal to start a Certificate Course on Goods and Service Tax by Dr. Sanjay Kumar	The members approved the course.	

REPORTS			
R1	Report on Credit Courses conducted in 2016-2017 (details enclosed)	The honourable members noted and appreciated.	
R2	Report on Scholarships awarded in 2016-2017	The honourable members noted and appreciated.	
R3	Report Promotion by CAS (Career Advancement Scheme) Dr. Sandeepa Bhat B. – Associate Professor to Professor Dr. Bikramjit De – Assistant Professor to Associate Professor	The honourable members appreciated.	

Minutes of the 55th Meeting of the Executive Council held on 15/07/2017



The West Bengal National University of Juridical Sciences

MINUTES OF THE 55th MEETING OF THE
EXECUTIVE COUNCIL

Held on 15th July 2017 AT 11.00 a.m.

W. B. NATIONAL UNIVERSITY OF JURIDICAL SCIENCES
Dr. Ambedkar Bhavan
Salt lake, Kolkata
Minutes of the Fifty Fifth Meeting of the Executive Council of
W.B. National University of Juridical Sciences
Held on 15th July 2017 at 11.00 a.m.
At Dr. Ambedkar Bhavan, Salt lake, Kolkata.

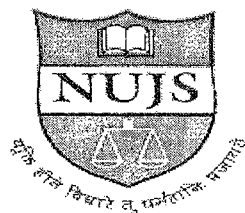
The Fifty Fifth Meeting of the Executive Council was held on 15th July 2017 at Dr. Ambedkar Bhavan, Salt Lake City, Kolkata. Following Members were present :-

1. Prof. P. Ishwara Bhat
Vice Chancellor and Chairman, Executive Council
NUJS, Kolkata.
2. Prof. Venkata Rao
Vice Chancellor, NLSIU, Bangalore
3. Prof. Sujay Basu (Special Invitee),
Treasurer, WBNUJS
4. Mr. Nitya Nanda Mondal,
Nominee of Additional Chief Secretary to Government of West Bengal, Higher Education
Dept., Kolkata
5. Mr. A. K. Hazra
Nominee of Secretary to Government of West Bengal, Judicial Department, Government of West
Bengal
6. Dr. Anirban Mazumder,
Associate Professor, Law, WBNUJS, Member
7. Dr. Bikramjit De
Associate Professor (Social Sciences), WBNUJS, Kolkata
8. Ms. Vaneeta Patnaik,
Assistant Professor (Law), WBNUJS, Kolkata

Mr. Kishore Dutta, Advocate General , West Bengal, Member, Hon'ble Justice Jyotirmay Bhattacharya, Judge, Calcutta High Court, Member, Hon'ble Mr. Justice Amit Talukdar(Retd), Member, Hon'ble Mr. Moloy Ghatak, Minister in Charge, Law and Judicial Department, Govt. of West Bengal, Member, Mr. Jishnu Saha, Advocate, Calcutta High Court, Member, Prof. Ved Prakash, UGC Chairman, Member, Additional Chief Secretary to Government of West Bengal, Higher Education Dept., Kolkata, Member, Principal Secretary to the Govt. of West Bengal, Finance Department, Member, Secretary to the Government of West Bengal, Judicial Department, Kolkata, Member, Prof. Virginius Xaxa, Professor, School of Social Sciences, Tezpur University, Member and Prof. S. Chattopadhyay, Director, IIM, Kolkata, Member could not attend the meeting due to preoccupations.

Mr. S. A. Khan, Registrar (Acting) was also present in the meeting as an Ex-Officio Secretary to the Executive Council.

Minutes of the 55th Meeting of the Executive Council held on 15/07/2017



The West Bengal National University of Juridical Sciences

**Minutes of the Fifty Fifth Meeting of the Executive Council of WBNUIJS held on Saturday,
15th July 2017 at 11.00 A.M.**

At the commencement of the Meeting of the Executive Council, the Members of the Executive Council expressed deep condolence at the demise of Hon'ble Justice Altamas Kabir in February 2017 by observing silence for 2 minutes and remembering his help and service to the University in various capacities.

Sl.no	Agenda	Resolution	Remarks
1	Confirmation of the Minutes of the 54 th Meeting of the Executive Council held on 11 th February 2017	The Minutes of the 54 th Meeting of the Executive Council held on 11 th February 2017 were confirmed.	
2	Minutes of the 85 th , 86 th , 87 th and 88 th Meeting of the Finance Committee	<p>The Minutes of the 85th, 86th, 87th and 88th Meeting of the Finance Committee held on 21/02/2017, 22/03/2017, 28/04/2017 and 12/07/2017 respectively is placed before the 55th Meeting of the Executive Council for ratification.</p> <p><u>Resolution</u></p> <p>The Executive Council directed that the Minutes of the 85th, 86th, 87th and 88th Meeting of the Finance Committee held on 21/02/2017, 22/03/2017, 28/04/2017 and 12/07/2017 respectively, placed before the 55th Meeting has been ratified.</p>	
3	Minutes of 29 th Meeting of the Academic Council.	<p>The Minutes of the 29th Meeting of the Academic Council held on 22/04/2017 was placed before the 55th Meeting of the Executive Council for ratification.</p> <p><u>Resolution</u></p> <p>A) The Executive Council directed that the Minutes of the 29th Meeting of the Academic Council held on 22/04/2017 placed</p>	

Minutes of the 55th Meeting of the Executive Council held on 15/07/2017

		<p>before the 55th Meeting of the Executive Council has been ratified.</p> <p>In respect of Agenda Item No. 5 with regard to institution of Gold Medal, the Executive Council decided that an amount of two lakhs for institution of each Gold Medal shall be applied prospectively. The Vice Chancellor informed the members that the amount of Rs. 20 lakhs is already received by the University as per the earlier practice of instituting Rs. 50,000/- per Gold Medal for toppers in specific subjects. The Vice Chancellor further informed the Council that the donor is agreeable to pay Rs. 1,00,000/- (Rupees one lakh) only for each Gold Medal. Keeping in mind the receiving of an amount of Rs. 20 lakhs from the donor prior to the resolution of the 29th meeting of the Academic Council, the Executive Council decided to allow the donor to institute forty Gold Medals subject to payment of Rs. 20 lakhs to the University additionally.</p> <p>B) The Executive Council perused the list of experts recommended by the Academic Council using their service in the recruitment process and gave approval for the same. The Vice Chancellor informed the Executive Council that the Chancellor has intimated his nominee.</p>																										
4	Utilization of Grants from UGC XI Plan	<p>The matter arises out of the 85th Meeting of the Finance Committee held on 21/02/2017 (Agenda Item No. 5) where the Executive Council accepted the statement of expenditure, given below, approved by the Finance Committee for the money received for Rupees 4,50,00,000/- out of total sanction amount of Rs. 5,00,00,000/- (Rupees Five Crores) under head General Development Assistance Scheme vide UGC letter F.NO 80-3/2011 (SU-II) dated 21st October 2011. As per their letter no. F.No. 87-1/2012 (SU-I) February 2017, the Utilisation Certificate were prepared, audited by M/s. D. P. Sen & Co. and submitted to the UGC :</p> <table><tr><th>Sl. No</th><th>Particulars</th><th>Amount Allocated (In Lakhs)</th><th>Amount Received (In Lakhs)</th><th>Amount Utilised as on 30.09.2012 (In Lakhs)</th></tr><tr><td>1.</td><td>Books & Journals</td><td>130.00</td><td>117.00</td><td>137.60</td></tr><tr><td>2.</td><td>Equipments</td><td>25.00</td><td>22.50</td><td>32.95</td></tr><tr><td>3.</td><td>Buildings</td><td>250.00</td><td>225.00</td><td>153.84</td></tr><tr><td>4.</td><td>Others</td><td></td><td></td><td></td></tr></table>	Sl. No	Particulars	Amount Allocated (In Lakhs)	Amount Received (In Lakhs)	Amount Utilised as on 30.09.2012 (In Lakhs)	1.	Books & Journals	130.00	117.00	137.60	2.	Equipments	25.00	22.50	32.95	3.	Buildings	250.00	225.00	153.84	4.	Others				
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Minutes of the 55th Meeting of the Executive Council held on 15/07/2017

		<table border="1"> <tr> <td>i) Campus Development</td><td>20.00</td><td>18.00</td><td>15.55</td></tr> <tr> <td>ii) Students' Amenities</td><td>30.00</td><td>27.00</td><td>29.51</td></tr> <tr> <td>iii) Healthcare</td><td>5.00</td><td>4.50</td><td>0.00</td></tr> <tr> <td>iv) New Extension Activities</td><td>15.00</td><td>13.50</td><td>15.00</td></tr> <tr> <td>v) ICT Requirement</td><td>10.00</td><td>9.00</td><td>12.81</td></tr> <tr> <td>vi) Innovative Research Activities</td><td>15.00</td><td>13.50</td><td>14.27</td></tr> <tr> <td>Total</td><td>500.00</td><td>450.00</td><td></td></tr> </table> <p>Now the University is in receipt of letter from the UGC bearing no. F.No. 80-3/2011 (SU-II) dated 23/05/2017 where they conveyed to the University that any expenditure under XI Plan prior to 20/10/2011 cannot be treated as an admissible expenditure against XI Plan allocation due to the fact that the allotment was made on that particular date. Therefore the University now prepared a revised utilization where the expenditures have been enumerated.</p> <p>The matter is placed for information and direction of the Committee.</p> <p><u>Resolution</u></p> <p>The Executive Council approved the revised UGC XI Plan Utilisation Statement under General Development Assistance Scheme and approved the refund of unutilized fund of Rs. 2,85,36,790/- with interest. The Executive Council further authorized Vice Chancellor to send a request letter to the UGC along with Utilisation Certificate for approving the Utilisation Certificate even if some minor procedural requirement have not been fulfilled in respect of expenses under Building Head.</p>	i) Campus Development	20.00	18.00	15.55	ii) Students' Amenities	30.00	27.00	29.51	iii) Healthcare	5.00	4.50	0.00	iv) New Extension Activities	15.00	13.50	15.00	v) ICT Requirement	10.00	9.00	12.81	vi) Innovative Research Activities	15.00	13.50	14.27	Total	500.00	450.00		
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5	Renewal of Services of the adhoc employees of the University	<p>1. Mr. Prasun Banerjee, TA (Civil) – Mr. Banerjee's tenure has come to an end on 31/05/2017. He is presently getting a consolidated salary of Rs. 22000/- per month. His services have been renewed from 01/06/2017 for a period of four months. Submitted for information.</p> <p>2. Mr. Soumen Chowdhury, TA (Computer Centre) - Mr. Chowdhury's tenure has to an end on 31/05/2017. He is presently getting a consolidated salary of Rs. 22000/- per month. His services have been renewed from 01/06/2017 for a period of four months. Submitted for information.</p> <p>3. Ms. Swapna Roy, Cook in Vc's Residence – Ms. Roy's tenure has come to an end on 31/03/2017. She is presently drawing Rs. 12,500/- per month for her services. The University renewed her services for one year upto 31/03/2018. Submitted for information.</p>																													

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		<p>4. Mr. Prabir Khotel, University Electrician (Adhoc) – Mr. Khotel is serving the University on adhoc basis from 01/02/2011 and his present pay is Rs. 16000/- (Rupees Sixteen thousand only) per month. His tenure will come to an end on 31/07/2017 and the University proposes to renew his services for one year i.e. upto 31/07/2018 with a 3% annual increment as per practice.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The Executive Council discussed the matter at length and directed the following :</p> <ol style="list-style-type: none"> 1. Mr Prasun Banerjee (TA, Civil), Mr. Soumen Chowdhury, (TA, Computer Centre) extension has been approved. 2. The renewal of Mr. Prabir Khotel, Adhoc Electrician for one year till 31/07/2018 is approved. However, he shall not be given 3% increment instead he shall be given salary of equal higher amount. 3. Ms. Swapna Roy's wages proposal has been approved as proposed. 	
6	Advertisement for the various Faculty Positions of the University	<p>The matter arises out of the Agenda Item No. 11 of the 54th Meeting of the Executive Council where the Council approved the proposal and directed that advertisement of the above posts in one of the popular Bengali /, English (Regional circulation), one English all India circulation and /or Employment News along with University Website shall be given at the earliest and recruitment procedure to be initiated for the same.</p> <p>The Advertisement has been given in the 'Employment News', 'Times of India' and the University Website for its wide Circulation.</p> <p>As only few applications were received by the University, the last date of application has been extended till 31st July 2017. The matter was submitted for information.</p> <p><u>Resolution</u></p> <p>The Executive Council noted with appreciation.</p>	
7	Commissioning of new land of the University	<p>The matter arises out of the 51st Meeting of the Executive Council meeting (Agenda Item No. 4) dated 09/04/2016 where the University has been allotted with 45 kottahs of land adjacent to University premises from Government of West Bengal. The leased deed has to be signed by the Vice Chancellor on behalf of the University. Now the University has taken over possession of land in full and the registration of the same has been completed on 09/03/2016.</p>	

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		<p>University has taken up the matter with the PWD, Government of West Bengal for construction of multi-storied building with accommodation capacity for 600 students, seminar rooms, staff quarters among others. The PWD has conducted the Soil Testing of the land. The representative of the PWD had visited our site for preliminary assessment. Within a short span of time we will receive the DPR from PWD for the next course of action. The same was submitted for information.</p> <p><u>Resolution</u></p> <p>The Executive Council noted with appreciation and directed the University to further expedite the process.</p>	
8	Completion of 10 years under MACP for an employee of the University	<p>The following employee has completed 10 years of service in the same post and are eligible for MACP.</p> <p>1. Ms. Urmi Majumder, PA to Vice Chancellor, WBNUJS</p> <p>Accordingly the MACP Committee has recommended the MACP eligibility as per the following :</p> <p>1. Ms. Urmi Majumder, PA to Vice Chancellor, WBNUJS from 01/11/2016.</p> <p>The University also issued an Office Order to the above effect for information of the Executive Council.</p> <p><u>Resolution</u></p> <p>The Executive Council noted the matter and ratified the same.</p>	
9	Establishment of School of Distance & Mass Education	<p>With the establishment of the School of Distance & Mass Education as per the 54th Meeting of the Executive Council held on 11/02/2017 (Agenda Item No. 18), the school has started functioning. The Office Order issued in this regard was also enclosed for information.</p> <p><u>Resolution</u></p> <p>The Executive Council noted the matter with appreciation.</p>	

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10	Constitution of new Internal Complaints Committee (ICC) for the University as per UGC Guidelines	<p>The existing Internal Complaints Committee (ICC) for redressing Sexual Harassment in the University has been re-constituted as per UGC Guidelines on completion of its two years. The new constituted committee was placed for perusal and information of the Council.</p> <p><u>Resolution</u></p> <p>The Executive Council noted the matter with appreciation. The Executive Council further suggested to upload the information on the website.</p>	
11	Sexual Harassment allegation against Mr. Tushar Biswas, Ph.D. Student and action taken report.	<p>Mr. Tushar Kumar Biswas, a Ph.D. student of the University from Bangladesh who was alleged for a Sexual Harassment issue and the same was forwarded by the University to the Internal Complaints Committee (ICC) for taking necessary actions. Accordingly based on the report and the recommendation made there in, Office Order dated 30/01/2015 had been issued by the then Registrar (Acting).</p> <p>Now in another incident, one of our female alumni studying abroad complaint to the University alleging sexual harassment by Mr. Tushar Biswas and her father also submitted a police complainant. The Bidhannagar police arrested him not only on the charge of sexual harassment but also under Foreigner's Act. The University has referred the matter to the ICC for perusal and necessary action. The matter was submitted for information.</p> <p><u>Resolution</u></p> <p>The Executive Council noted the matter.</p>	
12.	Earn Leave Entitlement Of Vice-Chancellor And Encashment For Payment To Mysore University.	<p>Mysore University has requested for the details of Earn Leave entitlement of Prof (Dr.) Ishwara Bhat for the period he served as Vice-Chancellor at NUJS. We have sent them the detail list of Earn Leave entitlement of Vice-Chancellor.</p> <p>As the Vice-Chancellor will soon retire from Mysore University, they may ask for Earn Leave amount to be paid to them in order to ensure full pension from Mysore University. As Earn Leave encashment is always an available option for Vice-Chancellor as entitlement, the Executive Council may on principle approve the payment of Earn leave encashment amount in case the Mysore University raises demand. The matter was submitted for direction/approval.</p>	

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Proposal of Revision of Student Fees from the year 2018-19

The fee structure of BA / LLB & LL.M. Courses of the WBNUJS underwent a revision last from the Academic Year 2015-16. In the context of soaring of costs in certain existing heads of fees collection, it is felt that we may increase the fees from the next Academic Year (2018-19) as given below. A comparative statement of the fees collected for the LL.B. and LL.M. by the different NLUs is attached herewith for perusal.

Sl. No.	Heads of Fee	Present fees paid by LL.B students annually.	Proposed fees to be paid by Students of LL.B.	Present fees paid by Students of LL.M.	Proposed fees to be paid by Students of LL.M.
1	Tuition Fee for NRI /NRI Sponsored and Foreign National Students	US\$ 8640 annually	US\$ 10000 annually	US\$ 2750 annually	US \$ 3000 annually
2	Admission Fee for 1 st year only	Rs. 1000	Rs. 5000	Rs. 1000	Rs. 5000
3	Moot Court Fee for 1 st year only	Rs. 2000	Rs. 2000 per year for all batches, i.e. 1 st year to 5 th year	Nil	Nil
4	Infrastructure and Maintenance Fees	Nil	Rs. 5000 per year for all batches, i.e. 1 st year to 5 th year	nil	Rs. 5000 per year
5	Study Materials Fee	Nil	Rs. 2000 per year for all batches, i.e. 1 st year to 5 th year	Nil	Rs. 2000 per year
6	Composite Hostel Fee	Rs. 19200 annually	Rs. 24000 annually	Rs. 16000 annually	Rs. 24000 annually

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		<table> <tr> <td>7</td> <td>Students Welfare Fee</td> <td>Rs. 19200 annually</td> <td>Rs. 24000 annually</td> <td>Nil</td> <td>Nil</td> </tr> </table> <p>The revision of fees are very much necessary to stand as an assistance to ease to meet the pay hikes of all the employees of the University following the pay revision recommendations of the 7th Pay Commission and acceptance by the Government of India for Administrative Staff (as per Central Govt. Pay pattern) and for faculties etc. (as per UGC Pay Pattern). It is therefore proposed to approve the proposal as above so as to implement the same from next Academic Year (2018-19). Submitted for directions.</p> <p><u>Resolution</u></p> <p>The Executive Council unanimously approved the proposal except Sl. No. 5 in the table (fees for Study Materials). The fees for Study Materials shall be removed from the Fees structure as proposed above.</p>	7	Students Welfare Fee	Rs. 19200 annually	Rs. 24000 annually	Nil	Nil	
7	Students Welfare Fee	Rs. 19200 annually	Rs. 24000 annually	Nil	Nil				
21	Signing up of MOU with Garden Reach Ship Builders and Engineers Ltd.	<p>The University recently signed up a MOU with Garden Reach Ship Builders and Engineers Ltd., a Government of India Undertaking regarding dissemination of litigation management in the Company, imparting knowledge by various research activities pertaining to legally relevant areas, undertaking customized capacity enhancement programme for the Company Executives, providing ADR services to the Company etc. The copy of the MOU signed in this regard was annexed. The matter was submitted for perusal and information.</p> <p><u>Resolution</u></p> <p>The Executive Council noted the matter and approved the same.</p>							
22	Fees for Students debarred from Promotion to the next academic year	<p>As per the existing norms, the students who have been debarred from promotion to the next year due to short percentage of marks or shortage in attendance of classes from the minimum percentage required in order to become eligible for promotion, the students concerned would have to repeat the year by appearing in the failed paper(s) or earning required percentage by attending the classes in the repeat year. This category of the students are at present to pay the following fees for repeating the year :</p> <p>a) Examination Fee – Rs. 1200.00 b) Library Fee – Rs. 24000.00</p>							

		<p>c) Readmission Fee – Rs. 1000.00 d) Composite Hostel Fee – Rs. 9600.00 e) Adjustable (Hostel) deposits – Rs. 15000.00 f) Re-registration Fee – Rs. 1000.00 and g) Repeat Paper (each) – Rs. 15000.00 This was submitted for perusal of the Executive Council and approval as well, if the above mentioned fees structure are accepted. Suggestions are also sought for its improvement or to allow keeping it as it now subject to revision keeping parity with the General Fee Structure on the heads of fees for the repeat year Students.</p> <p><u>Resolution</u></p> <p>The Executive Council discussed and approved the proposal.</p>	
23	Procurement of a new car for the Vice Chancellor	<p>The University procured the car of the Vice Chancellor (Maruti Suzuki SX4) in the month of July 2008 and which was in regular use since then for the duty of the Vice Chancellor. There were normal wear and tear of car and few dents and dents trace is visible in the various places of the body of the car after servicing it for regular intervals. Some unusual sounds are also noticed while driving the vehicle. Also there are corrosion, minor damages and scratches found in the bumpers and also there is deformation of the wheels of the car. Recently the car went with a damage causing the University to spend more than Rs. 1,50,000/- for the purpose. Also the manufacturer has stopped manufacturing this model at present and due to unavailability of spares at times the repair is getting delayed for a longer period of time.</p> <p>In this circumstances, direction was sought from the Finance Committee and Finance Committee approve for purchase of car within the cost of Rs. 15 lakhs. The matter was submitted for approval and direction.</p> <p><u>Resolution</u></p> <p>The Executive Council discussed and approved the proposal.</p>	

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24	Request for additional land	<p>This is to inform that the University initiated the process of additional land for campus development in the New Town, Rajarhat, West Bengal (Annexure 24A). Although the University has been corresponding with the West Bengal Housing Infrastructure Development Corporation (HIDCO) since 2006 regarding allotment of an additional 5.0 acres of land in New Town, Rajarhat but the HIDCO offered the University a 5.0 acre plot at a rate of Rs. 2.50 lakhs per cottah which was beyond the financial ability of the University and after repeated requests the matter was not pursued further.</p> <p>In this circumstance the University requested to consider afresh for the allotment of the land to the University in Rajarhat, New Town.</p> <p>Also request was made for the remaining land of 3.15 acres of land on LB-13 has been made to the Government for allotment to the University for its development. The same was submitted for information and direction.</p> <p><u>Resolution</u></p> <p>The Executive Council discussed the matter and approved the proposal and directed the University to do follow up with Government. In case need arises University may write to Judicial Department, Government of West Bengal for additional land.</p>	
AA1	<p><u>Additional Agenda Items</u></p> <p>Proposed Amendment and New Provision in LL.D. Regulations 2012</p>	<p>The matter as proposed has been placed before the members of the Academic Council through circulation on 04/07/2017 for their views within 13/07/2017. Accordingly all members of the Academic Council have confirmed with the proposed amended regulations except Mr. Priyanka Ghosh, Director, CFSL where he has suggested two changes in Clause No. 4.2 & 5A.</p> <p>The Chairman, Academic Council have perused the matter and directed that Clause 4.2 as directed by the Director, CFSL cannot be accepted as it is not possible to insist one candidate for such at the stage of registration. But the Chairman, Academic Council directed that the proposed modification suggested by Director, CFSL for Clause 5A can be accepted. The matter was submitted for information and approval.</p>	

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		<p><u>Resolution</u></p> <p>The Executive Council ratified the amendment of LL.D. Regulations 2012.</p>																					
AA2	Renewal of adhoc faculty member (Law)	<p>The matter arises out of the 54th Meeting of the Executive Council in its meeting held on 11th February 2017 where the Executive Council has approved the appointment of Mr. Kumarjit Ray as an adhoc faculty (law).</p> <p>Accordingly he was issued appointment letter and the review committee towards his appointment has been set up who met in their meeting on 14/07/2017 and submitted a report where they recommended to extend his tenure for a period of one year under same terms and conditions w.e.f. 01/07/2017. The matter was submitted for approval and directions.</p> <p><u>Resolutions</u></p> <p>The Executive Council discussed the matter and directed to approve the renewal of appointment of one year.</p>																					
AA3	Renewal of some other adhoc faculty members (Law)	<p>The tenure of some other following members of faculty working in one year contractual engagement in the University who will be completing their tenure as follows :</p> <table><tr><th>Sl. No.</th><th>Name</th><th>Designation</th><th>Date of Joining in the post</th><th>Date of expiry of contract</th></tr><tr><td>1</td><td>Mr. Nizamuddin Ahmed Siddiqui</td><td>Assistant Professor (Law)</td><td>26/05/2016</td><td>25/05/2017</td></tr><tr><td>2</td><td>Mr. Arun Krishnan</td><td>Assistant Professor (Law)</td><td>27/05/2016</td><td>26/05/2017</td></tr><tr><td>3</td><td>Mr. Mahesh Menon</td><td>Assistant Professor (Law)</td><td>06/06/2016</td><td>05/06/2017</td></tr></table> <p>The University has already extended their services of engagement under same terms and conditions for a period of one year for the incumbents mentioned above. The matter was submitted for information.</p>	Sl. No.	Name	Designation	Date of Joining in the post	Date of expiry of contract	1	Mr. Nizamuddin Ahmed Siddiqui	Assistant Professor (Law)	26/05/2016	25/05/2017	2	Mr. Arun Krishnan	Assistant Professor (Law)	27/05/2016	26/05/2017	3	Mr. Mahesh Menon	Assistant Professor (Law)	06/06/2016	05/06/2017	
Sl. No.	Name	Designation	Date of Joining in the post	Date of expiry of contract																			
1	Mr. Nizamuddin Ahmed Siddiqui	Assistant Professor (Law)	26/05/2016	25/05/2017																			
2	Mr. Arun Krishnan	Assistant Professor (Law)	27/05/2016	26/05/2017																			
3	Mr. Mahesh Menon	Assistant Professor (Law)	06/06/2016	05/06/2017																			

Minutes of the 55th Meeting of the Executive Council held on 15/07/2017

		<p><u>Resolution</u></p> <p>The Executive Council discussed the matter and directed to approve the renewal of appointment of one year.</p>	
AA4	Appointment of Guest Faculty in English	<p>As the existing faculty member, Ms. Sayantani Ukil's tenure has come to an end on the month of June 2017, fresh advertisement was initiated on the University's Website and accordingly interview was conducted on 01/07/2017 followed by Class Demonstration.</p> <p>Around 55 candidates have applied for the post and 29 candidates have been Short-listed based on the teaching experience, NET / SLET qualification, consistent good academic record and obtained 75% and above in Masters Degree.</p> <p>The candidates were called for interview subject to submission of a detailed Course Curriculum for General English. As per the above, 12 candidates were eligible for the interview and 11 candidates appeared for the interview on 01/07/2017.</p> <p>The interview has been taken by a Selection Panel consisting of Prof. P. Ishwara Bhat, Vice Chancellor, WBNUJS, Prof. T.R. Subramanya, Research Fellow, WBNUJS and Dr. Sipra Mukherjee, Professor in English, WBUT who further shortlisted 4 candidates for Class Demonstration.</p> <p>After undergoing all the above proceedings Ms. Ankita Mookerjee was found suitable for the said post of Guest Faculty in English. Accordingly appointment letter has been sent to her which she accepted and she joined in the said post. The matter was submitted for information and ratification.</p> <p><u>Resolution</u></p> <p>The Executive Council approved the appointment as proposed.</p>	

		<p><u>Resolution</u></p> <p>The Executive Council discussed the matter and approved the Earned Leave entitlement of the Vice Chancellor subject to the rules of the University (NUJS). The matter is referred to the Finance Committee for further action.</p>	
13.	<p>Attending the Shastri Mobility Programme (SMP) 2017-18 (OPEN) by the Vice Chancellor</p>	<p>The Vice Chancellor received an invitation from Dalhousie University, Canada for attending that University as a Visiting Researcher for the period from 08/10/2018 to 29/10/2018 under Shastri Mobility Programme (SMP) 2017-18 (OPEN). The Statement of Purpose for the said programme was also enclosed. As the University will be enjoying the Puja Vacation during that period and the all the expenditure towards travel and fooding will be borne through SMP, the matter is put up to the Executive Council for its approval for doing the needful.</p> <p>Directions is also sought from the Council for signing of the Employer's Endorsement Form by the Registrar (Acting) of the University for doing the needful. The matter was submitted for directions.</p> <p><u>Resolutions</u></p> <p>The members of the Executive Council approved the proposal and authorized the Registrar (Acting) to endorse the application of the Vice Chancellor.</p>	
14.	<p>Constitution of a Committee by Academic Council for exploring the possibilities for new branches of WBNUJS.</p>	<p>The matter arises out of the 52nd Meeting of the Executive Council held on 24/09/2016 (Additional Agenda Item No. 1) for opening up new branches of NUJS. As per discussions, a Committee has been constituted to explore the possibilities for extension Centres of WBNUJS in Siliguri and Asansol as proposed by the Government of West Bengal. The matter was submitted for information.</p> <p><u>Resolution</u></p> <p>The Executive Council noted the matter and directed to call the meeting of the Committee.</p>	

Minutes of the 55th Meeting of the Executive Council held on 15/07/2017

15	Regulation of Library Procurement Committee	<p>The University felt the necessity for a framing up a Regulation for Procurement of Library materials to ease of the procurement procedure in the Library. Accordingly a draft regulation of the same has been enclosed for kind perusal and directions.</p> <p><u>Resolution</u></p> <p>The Executive Council approved the Regulation and directed the University to send the Regulation to the Hon'ble Chancellor and to place it in the next General Council meeting as per norms.</p>	
16	Revision of Leave Regulation	<p>The matter arises out of the 35th Meeting of the Executive Council held on 30/04/2017 where the Leave Rules of the faculty members has been approved w.e.f. 1st May 2011 and the same was implemented vide Office Order bearing no. 326/Reg/11 dated 02/06/2011.</p> <p>The University could not able to implement paid Study Leave due to lack of availability of funds and therefore the Leave Regulations was not implemented in real sense. We also failed to comply with the requirement of sending regulation to the Chancellor and General Council in the next meeting.</p> <p>In this circumstances we may delete the following clauses on paid Study Leaves :</p> <ul style="list-style-type: none"> • Clause 20.5.K. Sub Clause (ii) • Clause 20.5.K. Sub Clause (iii) • Clause 20.5.K. Sub Clause (viii) • Clause 20.5.K. Sub Clause (ix) • Clause 20.5.K. Sub Clause (xv) • Clause 20.5.K. Sub Clause (xvi) <p>Other regulations will remain unaltered as per the earlier approved regulation.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The Executive Council discussed the matter at length and approved the proposal to delete the provisions relating to Paid Study Leave. However, Study Leave without pay shall remain available to the faculty members.</p> <p>As the Leave Rule was approved in the 35th Meeting of the Executive Council held on 30/04/2011 and enforced by the Office Order dated 01/05/2011, the Executive Council</p>	<p>16/7/2017</p> <p>17</p>

Minutes of the 55th Meeting of the Executive Council held on 15/07/2017

		<p>directed the Vice Chancellor to send the revised Leave Regulation to the Chancellor for his approval with a request to approve its enforceability from 1st May 2011. The Executive Council further directed to place it in next General Council meeting with request to allow the enforceability of the leave rule from 1st May 2011.</p> <p>One of the Executive Council members, Dr. Anirban Mazumder, raised the issue about the denial of their entitlement of Earn Leave from the date of joining University with regular pay scale as some of the faculty members joined the University with regular pay scale in the year 2002 and if we implement leave for them from the year 2011 then they will be deprived of their 9 years Earned Leave entitlement. Dr. Mazumder informed the Executive Council that while administrative staff in regular post are entitle to Earned Leave from the date of joining in regular pay scale, faculty members are deprived of it. Other members present also reiterated the views of Dr. A. Mazumder.</p> <p>The Executive Council unanimously decided to grant all permanent faculty members Earned Leave on adhoc basis equal to their entitlement from the date of their joining on regular scale till the leave rule is enforced i.e. 1st May 2011. The Executive Council further directed the Registrar (Acting), to bring the list of the faculty members with the number of Earned Leave they are entitled to in the next meeting of the Executive Council for its approval.</p>	
17	Signing of MOU with Libsys for ERP Package for the University	<p>The matter arises out of the 86th Meeting of the Finance Committee held on 22/03/2017, where the University felt the necessity for having ERP for the University management. In this regard an internal committee was formed for deciding the appropriate ERP Package for the University.</p> <p>Accordingly, the Committee submitted its report on 17/03/2017 and recommended to go for ERP Packages with vendors who have experience of providing the same to other National Law Schools / Universities of India and identified Tata Consultancy Services (TCS) and Libsys as the prospective vendors.</p> <p>Thereafter, quotations were received from both the vendors as follows :</p>	

Minutes of the 55th Meeting of the Executive Council held on 15/07/2017

SI No	Vendor	Annual Subscription (Rs.)	Installation Cost (Rs.)	5 year cost (Rs.)
1	TCS	27,00,000/-	0	1,35,00,000/-
2	LS Academica Libsys	10,86,750/-	10,26,375/-	62,18,625/-

It was found that charges quoted by Libsys through WEBEL (A Government of India Enterprise) (Annexure 17C) are substantially less than the price quoted by TCS-WTL and it was also found that Libsys modules also meets all the requirements as identified by the University.

The matter was also placed before the UGC XII Plan Implementation Committee for their recommendation and eventually the said Committee has also approved the proposal as the said amount was be borne out of the UGC XII Plan Fund.

Accordingly, the Work has been entrusted to M/s. Webel Technology Ltd. (a Government of West Bengal Undertaking) who in turn have appointed M/s. LIBSYS by paying the annual fee as mentioned above. The tripartite agreement signed in this regard was enclosed. The matter was submitted for perusal, information and approval.

Resolution

The Executive Council noted the matter with appreciation and ratified signing of MOU.

18	Introduction of B.B.A. LL.B. and one more batch of LL.M. from the year 2018-19	The University felt the necessity to establish new courses where some of the National Law Schools have already started some additional courses along with the existing one. Accordingly, University felt that BB.A. LL.B. shall be introduced from next year with the Academic Building being extended with two floors and around ten classrooms and new hostel will be constructed in another two years time. The detailed description and prospect of the course was enclosed. The Government of West Bengal has also stated in their
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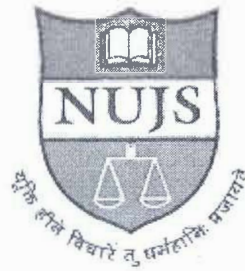
Minutes of the 55th Meeting of the Executive Council held on 15/07/2017

		<p>letter dated 23/09/2016 for increasing the seats from 125 to 250.</p> <p>One batch of LL.M. may also be started from the next academic year.</p> <p><u>Resolution</u></p> <p>The Executive Council perused the letter written by Mr. Moloy Ghatak, Hon'ble Minister-in-Charge, Department of Law and Judicial dated 23/09/2016 where he requested the University "that the intake of students may be increased from 125 to 250 and...."</p> <p>The Executive Council approved the proposal on principle and refer it to the Academic Council for further deliberation and finalization of other modalities.</p> <p>The Executive Council also directed that the University can go ahead with the proposal only after the requisite infrastructure of hostel and academic building is ready and adequate numbers of qualified faculties are appointed.</p>	
19	Funding from the Government of West Bengal towards Campus Development	<p>In response to a letter sent by the University in the month of May 2017 to the Judicial Dept., Government of West Bengal requesting to provide some kind of financial support in the form of Grants to be released to meet recurring nature of revenue expenses on heads like Maintenance, Electricity, IT Infrastructure, Merit cum Means Scholarship and Moot Courts which was totalled to Rs. 4.5 crores showing apportions as per our requirement, the Judicial Dept., Government of West Bengal allotted a sum of Rs. 1,41,28,000 as maintenance grant for a period of four months April-July, 2017. The matter was submitted for information</p> <p><u>Resolution</u></p> <p>The Executive Council noted with appreciation and expressed thanks to the Government of West Bengal for such generous grant.</p>	

Agenda Item No. 2**Minutes of 89th, 90th, 91th, 92nd, 93rd, 94th, 95th, and 96th Meeting of the Finance Committee.**

The Minutes of the 89th, 90th, 91th, 92nd, 93rd, 94th, 95th, and 96th Meeting of the Finance Committee are placed before the 56th Meeting of the Executive Council for ratification as Annexure 2A.

Submitted for approval.



The West Bengal National University of Juridical Sciences

MINUTES OF THE 62nd MEETING OF THE

EXECUTIVE COUNCIL

Held on 29th September 2018 AT 11.00 a.m.

W. B. NATIONAL UNIVERSITY OF JURIDICAL SCIENCES
Dr. Ambedkar Bhavan
Salt lake, Kolkata
Minutes of the Sixty-Second Meeting of the Executive Council of
W.B. National University of Juridical Sciences
Held on 29th September 2018 at 11.00 a.m.
At Dr. Ambedkar Bhavan, Salt lake, Kolkata.

The Sixty-second Meeting of the Executive Council was held on 29th September 2018 at Dr. Ambedkar Bhavan, Salt Lake City, Kolkata. Following Members were present :-

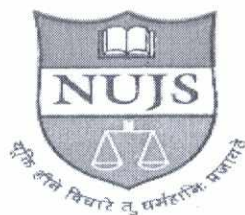
1. Mr. Justice Amit Talukdar
Vice Chancellor (Acting) and Chairman, Executive Council
NUJS, Kolkata.
2. Hon'ble Mr. Justice Arun Mishra,
Judge, Supreme Court of India
3. Hon'ble Justice Debasish Kar Gupta
Acting Chief Justice, Calcutta High Court
4. Hon'ble Justice Ashim Kumar Roy
Former Judge, Calcutta High Court
5. Hon'ble Mr. Moloy Ghatak,
Minister in Charge, Law and Judicial Department,
Govt. of West Bengal
6. Mr. Kishore Datta,
Advocate General , West Bengal
7. Prof. Venkata Rao,
Vice Chancellor, NLSIU, Bangalore
8. Prof. Virginius Xaxa, Professor, School of Social Sciences,
Tezpur University
9. Dr. Anupa Guha Majumdar
Professor
10. Mr. Bibek Chaudhuri
Secretary to the Government of West Bengal,
Judicial Department,
11. Dr. Anirban Mazumder,
Professor, Law, WBNUJS, Member
12. Dr. Bikramjit De
Associate Professor (Social Sciences), WBNUJS, Kolkata

Mr. Jishnu Saha, Treasurer, WBNUJS & Advocate, Calcutta High Court, Member, Principal Secretary to the Govt. of West Bengal, Finance Department, Member, Mr. Bharatendu Nath Srivastava, Director-in-charge, IIM, Kolkata, Member, Mr. R. S. Shukla, Additional Chief Secretary to Government of West Bengal, Higher Education Dept., Kolkata. could not attend the meeting due to preoccupations.

Smt. Sikha Sen, Registrar (Acting) was present in the meeting as an Ex-Officio Secretary to the Executive Council.

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Amit Talukdar
29/9/18

Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

The West Bengal National University of Juridical Sciences

Minutes of the Sixty-Second Meeting of the Executive Council of WBNUS held on Saturday,
29th September 2018 at 11.00 A.M.

Sl.no	Agenda	Resolution	Remarks
1	Condolence Message of Professor Amiya Chowdhury, Hon'ble Member of the Executive Council, Staff Member, Smt. Anindita Talapatra and Ph.D. Student Ms. Neha Chowdhury.	The members observed two minutes silence for paying respect to demise soul of Professor Amiya Chowdhury, Hon'ble Member of the Executive Council, Staff Member, Smt. Anindita Talapatra and Ph.D. Student Ms. Neha Chowdhury.	
2	Confirmation of the Minutes of the 61st Meeting of the Executive Council held on 12th May 2018	<p>Confirmation of the Minutes of the 61st Meeting of the Executive Council held on 12th May 2018.</p> <p>Resolution</p> <p>Confirmed. In respect of Additional Agenda Item No. 1, Shri Saurabh Bhattacharjee has informed that he has already submitted his thesis and thus does not require Earned Leave any more.</p> <p>Regarding Item No. 2 of the 61st meeting the members in oblivion of the Regulations formed a four member committee. Such resolution be amended to the effect that the</p>	

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Anindita Talapatra
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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

		Hon'ble Chancellor having nominated Hon'ble Justice Arun Kumar Mishra as his nominee would be the Chairman of the Search Committee. The Executive Council nominates Hon'ble Chief Justice, High Court at Calcutta and the Advocate General for the State of West Bengal as the other members of the Search Committee.	
3	Ratification of the Minutes of the 102 nd , 103 rd , 104 th , 105 th and 106 th Meeting of the Finance Committee	<p>Ratification of the Minutes of the 102nd, 103rd, 104th, 105th and 106th Meeting of the Finance Committee.</p> <p><u>Resolution</u></p> <p>The Minutes of the Finance Committee from 102nd, 103rd, 104th, 105th and 106th has been ratified with the modification that the issue of disparity has been placed before the Finance Department of the Govt. of West Bengal. Awaiting reply from the Finance Department by the Judicial Department no decision be taken in the matter for the present.</p>	
4	Appointment of Smt. Madhumati Mitra, Registrar (Acting) & Dr. Anupama Ghosal, Assistant Registrar (Acting) and Resignation of Smt. Mitra thereafter	<p>The Executive Council in its 61st Meeting held on 12th May 2018 has directed to appoint Smt. Madhumati Mitra as Registrar (Acting) and Dr. Anupama Ghosal as Assistant Registrar (Acting). However the post of Assistant Registrar (Acting) has been inadvertently mentioned as Assistant Registrar. The Executive Council may take a note of the same.</p> <p>Smt. Mitra has been resigned from the said post on 16/08/2018 and the said charge was handed over to the AR (Administration) (Acting).</p> <p>Submitted for acceptance of the same.</p> <p><u>Resolution</u></p> <p>Resignation of the earlier Registrar Smt. Madhumati Mitra is accepted.</p>	
5	Ratification of the appointment of Smt. Sikha Sen, Registrar	Smt. Sikha Sen has been appointed as the Registrar (Acting) from 20 th August 2018 upon request made to the Registrar (Judicial Service), High Court, Calcutta.	

[Signature]
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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

	(Acting)	<p>Submitted for information and ratification of the members of the Executive Council advertisement as per para (a) above or to add any additional qualifications such as mentioned in para (b).</p> <p><u>Resolution</u></p> <p>The appointment of Smt. Sikha Sen as the Registrar in place of Smt. Madhumati Mitra is approved. Steps being taken to fill up the post of Registrar on regular basis as per the Resolution taken in the 61st meeting of the Executive Council dated 12th May, 2018 against Item No. 3. The advertisement be published as decided within two weeks giving the intending candidates two weeks time to apply and thereafter to complete the process within a period of two months from the date of advertisement. The appointment shall be made subject to the result of the pending appeal filed by the erstwhile Registrar Shri Surajit Mukhopadhyay. It may be mentioned in the appointment letter accordingly. Steps may be taken by the Vice Chancellor (Acting) to form a Selection Committee for such purpose as already resolved in the meeting dated 12th May, 2018.</p>	
6	Status Report of the Admission of the BA / B.Sc. LL.B. (Hons) & LL.M. Programme for the Students of the Academic year 2018-19.	<p>The University has completed its admission process for the academic year 2018-19 and the status report of the same are enclosed.</p> <p>The Admission Core Committee, WBNUJS has also declared the Admission Procedure as closed on 06/09/2018 and the same has been reported.</p> <p><u>Resolution</u></p> <p>The matter has been seen.</p>	
7	Refund and Status of Online Course – Matter regarding	<p>There are various writ petitions filed against suspension of the courses vide the decision of the Academic Council held on 10/05/2018 which was further ratified in the 61st Meeting of the Executive Council held on 12/05/2018.</p> <p>Thereafter the University Academic Section issued a notice in regard to the suspension of the Online Courses of the</p>	

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Amrit Kulkarni
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	<p>University dt. 27/06/2018. (Annexure 7A) Now the court cases in this regard were handled by the empanelled University Lawyer, Mr. Pratik Dhar who in turn appointed Mr. Chandan Rai to look into the writ petition filed at Delhi High Court and subsequently another court case was filed at Calcutta High Court bearing writ petition no. w.p. 14114 of 2018. These two cases were filed by the students who have enrolled for these Online Courses which has been suspended.</p> <p>An arbitration petition no. 620 of 2018 has been filed recently on 19/09/2018 by Intelligent Legal Risk Management Solutions at Calcutta High Court against WBNUJS regarding the same issue.</p> <p>The MOUs of the Online Courses which has been suspended are also enclosed.</p> <p>The Advocate on Demand on these cases are demanding the following :</p> <p>1) The Delhi High Court on 27/07/2018 wanted to know if the fees of the enrolled students can be refunded. If so, the ratio of the refund amount has to be ascertained by the Executive Council referring to the MOUs.</p> <p>2) Whether the jurisdiction of the Court Cases appearing in the Delhi High Court may be transferred to Calcutta High Court as the University is located in Calcutta.</p> <p>Submitted for directions.</p> <p><u>Resolution</u></p> <p>It is informed that WBNUJS do not have NAAC accreditation. WBNUJS is also not an approved University under the UGC Regulations to operate online courses. The members note with concern that the online courses were started illegally with private participation of sharing profit at 70:30 ratio against the University's interest. All the online courses shall be stopped forthwith. In so far as the question of refund of student's fees is concerned the matter being sub judice before the Hon'ble Courts, decision would be taken at the appropriate time.</p> <p>The pending enquiry to the matter by the Vice Chancellor</p>	
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Amir Khan
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		<p>and the Advocate General be expedited.</p> <p>An online advertisement on the portal of WBNUJS be uploaded for the information of all concerned that the Executive Council in today's meeting has resolved to stop all online courses with immediate effect and the University have no responsibility if any person is misguided in the matter.</p> <p>The University will also take appropriate steps to obtain NAAC accreditation at the earliest. The Registrar (Acting) is requested to take steps in the matter.</p>	
8	<p>Dillons Kidney Foundation</p> <p>Letter addressed to the Hon'ble Vice Chancellor</p>	<p>Dr. Jayanta Das, General Secretary, Dillons Kidney Foundation has requested the Hon'ble Vice Chancellor (Acting) of the University regarding the enrolled students to atleast write their qualifying examination as they have claimed in their said letter that without any information the Post Graduate Diploma in Medical Laws (PGDPML) the final / exit examination has been cancelled</p> <p>Submitted for directions.</p> <p><u>Resolution</u></p> <p>It is informed that WBNUJS do not have NAAC accreditation. WBNUJS is also not an approved University under the UGC Regulations to operate online courses. The members note with concern that the online courses were started illegally with private participation of sharing profit at 70:30 ratio against the University's interest. All the online courses shall be stopped forthwith. In so far as the question of refund of student's fees is concerned the matter being sub judice before the Hon'ble Courts, decision would be taken at the appropriate time.</p> <p>The pending enquiry to the matter by the Vice Chancellor and the Advocate General be expedited.</p> <p>An online advertisement on the portal of WBNUJS be uploaded for the information of all concerned that the Executive Council in today's meeting has resolved to stop all online courses with immediate effect and the University</p>	

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Dr. Jayanta Das
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		<p>have no responsibility if any person is misguided in the matter.</p> <p>The University will also take appropriate steps to obtain NAAC accreditation at the earliest. The Registrar (Acting) is requested to take steps in the matter.</p>	
9	Matter relating to Ph.d. Programme in Public Policy and Development Studies	<p>The Vice Chancellor (Acting) received an e-mail from Mr. Gautam Ray, Vice President of the Asian Institute of Public Policy and Development Studies (AIPPDS), forwarded by Justice Chittatosh Mookerjee, Former Chief Justice, Bombay & Calcutta High Courts and also President, AIPPDS in regard to collaborative Ph.D. programme in public policy and development studies with WBNUJS where an MOU has been signed between NUJS & AIPPDS last year.</p> <p>The admission form, notification and faculty profile thereto for the year 2017 & 2018.</p> <p>The President in his letter has requested to review the decision and issue a fresh notification for the Ph.D. Programme in public policy and development in collaboration with AIPPDS as the notice dated 6th August 2018 has put the course to a halt.</p> <p>Submitted for directions.</p> <p><u>Resolution</u></p> <p>It is resolved that the University shall not undertake any course including Ph.D. programme in collaboration with any private organization. In appropriate cases the Academic Council will consider the matter in strict compliance with the relevant rules and regulations and place the matter before the Executive Council for its approval.</p> <p>It is further resolved that the committee comprising Justice Ashim Kumar Roy, Dr. Venkata Rao and Advocate General Kishore Datta will look into the irregularities in the running of all courses running in private partnership and report back to the Executive Council.</p>	

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Anil Chandra
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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

10	Diploma in Entrepreneurship Administration and Business Laws offered by National University of Juridical Sciences – Matter regarding	<p>Mr. Jonathan Preetham Paul bearing application no. 502276155 of the above mentioned course has filed in a letter with the authority which is self explanatory.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>It is informed that WBNUJS do not have NAAC accreditation. WBNUJS is also not an approved University under the UGC Regulations to operate online courses. The members note with concern that the online courses were started illegally with private participation of sharing profit at 70:30 ratio against the University's interest. All the online courses shall be stopped forthwith. In so far as the question of refund of student's fees is concerned the matter being sub judice before the Hon'ble Courts, decision would be taken at the appropriate time.</p> <p>The pending enquiry to the matter by the Vice Chancellor and the Advocate General be expedited.</p> <p>An online advertisement on the portal of WBNUJS be uploaded for the information of all concerned that the Executive Council in today's meeting has resolved to stop all online courses with immediate effect and the University have no responsibility if any person is misguided in the matter.</p> <p>The University will also take appropriate steps to obtain NAAC accreditation at the earliest. The Registrar (Acting) is requested to take steps in the matter.</p>	
11	Prayer of a student of Online Course forwarded by the MIC, Law & Judicial Department, Government of	<p>Ms. Funnisha Garg, student of the MA in business law has prayed before Mr. Atri Bhattacharya, wherein the same has been forwarded by the <u>MIC, Law & Judicial Department, Government of West Bengal</u> where the said online course has been suspended and the e-mail is self explanatory.</p> <p>The Academic Council in its 32nd Meeting held on 10/05/2018 has decided that all future activities pertaining to Distance Education and Online Courses should be put on</p>	

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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

	West Bengal	<p>status quo, except those which are purely University initiatives. The same was ratified in the 61st Meeting of the Executive Council held on 12/05/2018.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>It is informed that WBNUJS do not have NAAC accreditation. WBNUJS is also not an approved University under the UGC Regulations to operate online courses. The members note with concern that the online courses were started illegally with private participation of sharing profit at 70:30 ratio against the University's interest. All the online courses shall be stopped forthwith. In so far as the question of refund of student's fees is concerned the matter being sub judice before the Hon'ble Courts, decision would be taken at the appropriate time.</p> <p>The pending enquiry to the matter by the Vice Chancellor and the Advocate General be expedited.</p> <p>An online advertisement on the portal of WBNUJS be uploaded for the information of all concerned that the Executive Council in today's meeting has resolved to stop all online courses with immediate effect and the University have no responsibility if any person is misguided in the matter.</p> <p>The University will also take appropriate steps to obtain NAAC accreditation at the earliest. The Registrar (Acting) is requested to take steps in the matter.</p>	
12	Nomination of Membership regarding – Prof. (Dr.) Arup Kumar Poddar, Professor of Law, WBNUJS, Prof. (Dr.) TVGNS Sudhakar	<p>The matter arises out of the 61st Meeting of the Executive Council held on 12th May 2018 where the same was deferred.</p> <p>The University is in receipt of a note submitted by the three professors namely Prof. (Dr.) Arup Kumar Poddar, Professor of Law, WBNUJS, Prof. (Dr.) TVGNS Sudhakar, Professor of Law, WBNUJS and Prof. (Dr.) Sreenivasulu N.S., Professor of Law, WBNUJS regarding their membership in the Executive Council (E.C.) in the Professor</p>	

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Dr. Arup Kumar Poddar
29/9/18

	Professor of Law, WBNUJS and Prof. (Dr.) Sreenivasulu N.S., Professor of Law, WBNUJS	<p>Category (Annexure 12A) under Clause 7(1) (i) of the Schedule of the West Bengal National University of Juridical Sciences Act, 1999.</p> <p>A brief history of the various Professors under this Clause is placed below :</p> <ol style="list-style-type: none"> 1. Prof. Bhavani Prasad Panda – 3rd E.C. to 6th E.C. 2. Prof. Gangotri Chakraborty – 3rd E.C. to 16th E.C. 3. Prof. Shamnad Basheer – 31st E.C. to 45th E.C. 4. Prof. Sudhir K. Swamy – 31st E.C. to 34th E.C. 5. Prof. Manoj Kumar Sinha – 35th E.C. to 47th E.C. 6. Justice Mr. Altamas Kabir – 48th E.C. till April 2017. <p>Once Prof. Manoj Kumar Sinha, Professor of Law, WBNUJS joined ILI on lien, one post became vacant. Similarly, after demise of Hon'ble Justice Altamas Kabir another post also become vacant.</p> <p>Out of the two post for "Associate Professor or Professor" category, Prof. Anirban Majumdar become a member on 14/03/2016 and one post is lying vacant. Professor Anirban Mazumder has been appointed as Professor of Law on 13/11/2017.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The Vice Chancellor (Acting) being the appropriate authority in this regard will nominate the members from amongst the Professors/Associate Professors strictly as provided in the Regulations.</p>	
13	Application of three Professors regarding furnishing	Smt. Madhumati Mitra, the then Registrar (Acting) of the University received a joint application on 23 rd July from Professor (Dr.) Arup Kumar Poddar, Professor (Dr.) Sreenivasulu N.S. and Professor (Dr.) TVGNS Sudhakar	

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Anil Chakrabarti
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<p>clarity of their appointment as Associate Professor of Law in 2007 in WBNUJS</p>	<p>regarding the clarity of their appointment as Associate Professor of Law in 2007 at the West Bengal National University of Juridical Sciences (WBNUJS).</p> <p>The matter has been considered and a detailed report in this regard has been put up before the Hon'ble Vice Chancellor on 08/08/2018 where the same was approved to be placed before the Executive Council for directions.</p> <p>The following documents are put up for ready reference in this regard :</p> <p>i) Photocopy of the advertisement for the Post of Associate Professor & Professor in 2007</p> <p>ii) Photocopy of the members of the Selection Committee and their recommendations thereafter</p> <p>iii) Photocopy of the Office Order bearing no. 148/Reg/09 dated 25/03/2009 for successful completion of the probation period in the post of Associate Professors – Annexure 13 E.</p> <p>iv) Photocopy of the Office Order bearing no. 149/Reg/09 dated 28/03/2009 stating the existing contractual posts of the University be made permanent with effect from 23rd August 2008.</p> <p>v) Photocopy of the portion of the Agenda Notes and respective Minutes of the Executive Council are as follows :</p> <p>a) Agenda Item No. 2 of the 43rd Meeting of the EC held on 15/06/2013 and the respective Minutes.</p> <p>b) Agenda Item No. 9 of the 44th Meeting of the EC held on 14/09/2013 and the respective Minutes.</p> <p>c) Agenda Item No. 6 of the 42nd Meeting of the EC held on 27/04/2013 and the respective Minutes.</p> <p>d) Minutes of the 46th Meeting of the EC held on 05/04/2014 and Justice Amit Talukdar's Report in respect of Dr. Sreenivasulu N.S., Associate Professor, WBNUJS.</p> <p>e) Photocopy of the opinion of Shri Rathindra Narayan Chakraborty in respect of erroneous fitment of scale.</p>	
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Amit Talukdar
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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

		<p>f) An RTI reply sent to Mr. M. Vishwanath by the University in regard to the Appointment of Associate Professor by the University in 2007.</p> <p>g) Copy of the Minutes of the 47th Meeting of the Executive Council held on 1/11/2014, Agenda Item No. 9 in regard to the Granting of promotion under CAS to Faculty Members from Associate Professor (Law) to Professor – A Report.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>This agenda item is deferred till the next Executive Council meeting.</p>	
14	Enquiry Status of the Committees framed by the University	<p>The various Committees formed by the Executive Council in its meeting held on 12th May 2018.</p> <p>The Report of the Committees in this regard will be placed in the table.</p> <p>Submitted for directions.</p> <p><u>Resolution</u></p> <p>This agenda item is deferred till the next Executive Council meeting.</p>	
15	Honorarium / Remuneration of the Chair Professor Ford Chair on Human Rights and Research	<p>The matter arises out of the 104th & 106th Meeting of the Finance Committee held on 17/07/2018 & 22/09/2018.</p> <p>Initially, The Ford Foundation has approved a grant of USD 2,50,000 (INR Rs. 1,09,35,000) over a five year period beginning February 1, 2005 tie-off support to create an Endorsed Chair on “Human Rights & Citizenship Studies” (the Ford). The fund was mandated to be managed internally</p>	

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Dr. B. S. Kumar
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	Assistant associated with that Chair	<p>in accordance with the investment guidelines and policies determined by the Board of Directors of WBNUJS. The fund management shall be overseen by the Investment Committee of the Board of Directors of the University. Unless the Foundation agrees otherwise in writing, the Fund's investment policies and guidelines shall at all times require</p> <p>(i) The fund to be invested in a separate investment Account (ii) 100% of the fund to be invested in India and (iii) the fund to be denominated in Indian Rupees. Grant funds contributed by the Foundation to the Fund shall be invested solely in government or government approved securities. The interest from the endowment was to be used to support the salary for the Endowed Chair, travelling expenses and administrative costs. It was mandatory to reinvest 25 per cent (25%) of endowment income back into the corpus so as to maintain its value in perpetuity.</p> <p>During the five year period beginning on the date of disbursement, the Principal contributed by the Foundation and any appreciation or income earned thereon may not be expended (except to any administrative costs with respect to the Fund) without the consent of the Foundation. After a period of five years from the date of disbursement, and until such time as the Foundation consents otherwise in writing, withdrawals from the fund was to be confined to seventy five per cent (75%) of the interest earned and dividend received in respect of the Fund and no net appreciation in the value of the fund may be expended.</p> <p>As per modified term of Ford Foundation conveyed by mail dated 09/09/2008, 20% of the interest earned on the fund could be ploughed back in the fund i.e. 80% could be utilized for administrative costs etc.</p> <p>Again on November 23, 2009, the Foundation instructed that the University's Spending Policy with respect to the endowment included in the grant notification letter dated 01/02/2005 and modification on September 9, 2008 was modified as follows :</p> <p>"Withdrawals from the Fund was to be confined to not more than ninety per cent (90%) of the interest earned and divided</p>	
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	<p>received in respect of the Fund, and no net appreciation in the value of the Fund may be expended”.</p> <p>From then onwards, the accumulated income by way of interest earned on the invested Fund have been utilized as per record for the purposes restricted only by the Foundation.</p> <p>Meanwhile on the sad demise of Hon’ble Justice Altamas Kabir, the Chair Professor, Ford Chair on Human Rights and Citizenship Studies in earlier part of 2017, the Chair lied vacant. For that reason, the accumulations on maturity of certain fixed deposits amounting to Rs. 1,86,00,000 (Rupees one crore eighty six lakhs) was invested in Government GOI Bond at 8% interest per annum which will be matured in 2023 with the value of Rs. 2,97,88,206 i.e. nearly Rs. 3 crores.</p> <p>On 1st December, 2017, the new Chair Professor (Hon’ble Justice Tarun Chatterjee), was appointed and on 7th February 2018, Mr. Suman Saha, Research Assistant to the Chair joined with respective salaries @ Rs. 70000/- per month & @ Rs. 30,000/- per month.</p> <p>After paying those salaries to them from the dates of joining, the interest balance in savings bank A/c. as on 15/06/2018 at SBI, PB Branch, Saltlake is as below :</p> <ol style="list-style-type: none"> 1. Under S/B A/c. – Rs. 41, 162.00 2. Under MOD A/c. – Rs. 81,973.00 <p>The payments are normally made by using S/B A/c. balance as the MOD A/c. is giving higher rate of interest; So any withdrawal from that Account will be a financial loss to the University.</p> <p>It is apparent that the S/B account balance as shown above will not be able to meet the requirement of Rs. one lakh for payment of salary and full withdrawal cannot be made without keeping minimum balance unless it is closed.</p> <p>There are four Fixed Deposits which are due to be matured in between August 2018 to November 2018 amounting to</p>	
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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

		<p>Rs. 6,08,379 (Six lakh eight thousand three hundred seventy nine only).</p> <p>The above mentioned position may kindly be perused in relation to the payment of monthly consolidated sum (consolidated sum of Rs. 70000+Rs. 30000) to the Chair Professor and Research Assistant for the month of June, 2018 and in subsequent months.</p> <p>The Finance Committee deferred the agenda item and the same directed to be placed in the next Executive Council Meeting.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>This agenda item is deferred till the next Executive Council meeting. A report be placed by the Vice Chancellor on the functioning of the Chair Professor and Research Assistant.</p>	
16	Recruitment of Assistant Professors 2017 – Matters alleged there to	<p>The University is in receipt of a letter dated 06/07/2018 addressed to the Vice Chancellor, WBNUJS regarding alleged irregularities in the appointment of the Assistant Professors (Law) under the Advertisement for Academic Position dated June 12, 2017 of WBNUJS from Ms. Neha Choudhury and Mr. Shuvro Prosun Sarker.</p> <p>The said letter was accompanied by a letter from UGC dated 02/05/2018 addressed to the Vice Chancellor, WBNUJS which is self explanatory.</p> <p>The matter was submitted for kind perusal and directions.</p> <p><u>Resolution</u></p> <p>The concerned Committee already constituted shall look into the complaint dated 6th July, 2018 and place the report in the next meeting.</p>	
17	Pending CAS Matters of Faculty	<p>Application has been received from the Academic Staff of the University for promotion under the UGC CAS. The same is annexed herewith as annexure 17A. There will be other faculty members and academic staffs who's UGC CAS will</p>	

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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

	Members	<p>be due soon.</p> <p>In this circumstance, the Executive Council may direct the processing of these applications and further similar application in this regard.</p> <p>Submitted for directions.</p> <p><u>Resolution</u></p> <p>The matter should not have been placed in the Executive Council Meeting. Matter is returned for the decision of the administration.</p>	
18	Recruitment of the Finance Officer	<p>The matter arises out of the 60th & 61st Meeting of the Executive Council held on 07/04/2018 and 12/05/2018 where the 61st Meeting of the Executive Council directed the Acting Vice Chancellor and Dr. R. S. Shukla are authorized to finalise the qualifications of the Finance Officer whereupon the advertisements will be published in the newspaper at the earliest. In this regard, a meeting was held between the above mentioned officials on 22/06/2018 at 4.00 PM. The copy of the Minutes of the meeting is enclosed.</p> <p>In the meeting it was decided that the Executive Council may consider authorizing the Vice Chancellor to request the Finance Department, Government of West Bengal through the Judicial Department, Government of West Bengal to depute a senior officer of West Bengal Audit & Accounts Service having about 15 years of experience of Government Service to serve as the Finance Officer of WBNUJS. The matter has been placed in the 106th Meeting of the Finance Committee held on 22/09/2018 who directed the same to be placed in the Executive Council.</p> <p>The matter was submitted for kind perusal and further directions.</p> <p><u>Resolution</u></p> <p>The recommendation of Dr. Shukla Committee be accepted. The Judicial Secretary will nominate the Finance Officer within seven days from receipt of a formal request from the Registrar (Acting) in this regard.</p>	

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19	Creation of a post of Legal Officer and to establish a post of legal wing	<p>As lot of writ petitions and other legal matters have to be dealt by the University, creation of a post of Legal Officer and establishment of legal wing is felt necessary.</p> <p>Accordingly, the University proposes for creation of such post and its wing immediately.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The Committee members are of the opinion that the University does not require a regular Legal Officer. The Registrar will look into all legal matters in consultation with the Advocate General for the State of West Bengal.</p>	
20	Creation of a post of Record Keeper and to establish a record keeping section	<p>The University felt the necessity for Creation of a post of Record Keeper and to establish a record keeping section as it is highly important to keep records in a proper synchronized manner and the tracking of the records could be done as and when required. The same has not been done till date and it is high time the same is done immediately.</p> <p>Submitted for directions.</p> <p><u>Resolution</u></p> <p>The Registrar (Acting) will send a proposal to the Govt. of West Bengal after maintaining the rules and regulations for creation of post of Record Keeper and other staff, if any, in the record keeping section. The Govt. of West Bengal may take appropriate steps in this regard.</p>	
21	Nomination of Membership regarding – Dr. Anupama Ghosal, Assistant Professor (Social	<p>The matter arises out of the 61st Meeting of the Executive Council held on 12th May 2018.</p> <p>Dr. Anupama Ghosal, Assistant Professor (Social Sciences) have submitted an application regarding membership in the meeting of the Executive Council under Clause 7(1) (j) of the Schedule of the WBNUJS Act, 1999.</p>	

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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

	Sciences)	Submitted for directions. <u>Resolution</u> This agenda item is deferred till the next Executive Council meeting.	
22	Arrear Claim of Dr. Anupama Ghosal for the period 07/01/2005 to 30/08/2008	Dr. Anupama Ghosal, Assistant Professor has claimed for his release of Arrear payments in regard to pay. The letter enclosed is self explanatory (Annexure 22A). Submitted for directions. <u>Resolution</u> This agenda item is deferred till the next Executive Council meeting.	
23	Application for Lien and Extension for Lien	The matter arises out of the 60 th Meeting & 61 st Meeting of the Executive Council held on 7 th April 2018 & 12 th May 2018. The copy of the resolution made thereon has been forwarded to the concerned faculty member for her information. Now, Ms. Mercy K. Khaute, Assistant Professor in Law under ST Category have forwarded an e-mail to the Vice Chancellor which is self explanatory. The matter arises out of the 44 th Meeting of the Executive council held on 14/09/2013 (Agenda Item No. 7) in regard to the Lien of Professor Manoj Kumar Sinha, Professor of Law, WBNUJS and thereby joining as Director, ILI, New Delhi from 01/08/2013. The same was granted by the Executive Council. The Vice Chancellor (Acting) was in receipt of a letter from Professor Manoj Kumar Sinha bearing no. ILI/Admn/2018/2554 dated 14/08/2018 in request for extension of Lien / Deputation for serving as Director for another term of five years at ILI, New Delhi and thereby also communicated to the Professor over e-mail stating the same will be placed before the Executive Council Meeting.	

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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

		<p>Professor Sinha also informed that a request letter has been sent by the Registrar, ILI bearing no. ILI/Admn/2018/2455 dated 26th July 2018 in this regard and thereafter he have accepted the offer for the position of Director, ILI w.e.f. 01/08/2018 to 31/08/2023.</p> <p>The Executive Council may kindly be appraised of the fact that while taking a decision on the matter of Lien for Ms. Mercy Khaute, the then Assistant Professor, WBNUJS in its 60th Meeting of the Executive Council held on 07/04/2018, the Executive Council directed to frame a Policy to put in place for allowing Professors and other academic Staff to be released on lien to other teaching institutions. Accordingly, the Judicial Secretary was requested to frame such a Policy and to put up a draft for consideration before the Executive Council in its next meeting. Thereafter the then Registrar (Acting) has forwarded a letter to the Judicial Department bearing no. NUJS/REG/120/2018 dated 22/06/2018 for forwarding the draft policy in this regard.</p> <p>Dr. Sarafarz Ahmed Khan, Assistant Professor has claimed for Lien on joining an appointment to the superior post of Associate Profesor (Law) at MNLU, Mumbai for two years from 11/08/2018. The University has issued an Office Order in regard to pending decision of the Executive Council he has been relieved from afternoon of 10/08/2018.</p> <p>Submitted for kind perusal and direction.</p> <p><u>Resolution</u></p> <p>This agenda item is deferred till the next Executive Council meeting.</p>	
24	Application of Mr. S. A. Khan for consideration of his candidature for the post of Professor – Law	Mr. Sarafraz Ahmed Khan, Faculty member, WBNUJS has presently joined the Maharashtra National Law University, Mumbai as Associate Professor and has prayed over e-mail stating that he was in all probability selected for the post of Professor – Law (Leave Vacancy) during the recruitment which took place in 2017. He has also stated that while the Executive Council approved all appointments, it declined to	

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	(Leave Vacancy) at WBNUJS	<p>approve appointment under Professor (Leave) Category primarily on the ground that the concerned faculty member will join soon and if he could be considered for such post. The said e-mail is also enclosed as ready reference.</p> <p>Submitted for directions.</p> <p><u>Resolution</u></p> <p>This agenda item is deferred till the next Executive Council meeting.</p>																				
25	Renewal of contracts of the following employee / University officials	<p>The contract of the following employee / University officials will come to an end as per the following :</p> <table><tr><th>Sl. No.</th><th>Name of the Incumbent</th><th>Designation</th><th>Contact end period</th><th>Present Honorarium p.m.</th></tr><tr><td>1</td><td>Ms. Ruchika Ghosh</td><td>Guest Teacher</td><td>30/11/2018</td><td>Rs. 30000/-</td></tr><tr><td>2</td><td>Mr. Swapan Bhattacharya</td><td>University Doctor</td><td>30/09/2018</td><td>Rs. 17500/-</td></tr><tr><td>3</td><td>Ms. Barnali Ghosh</td><td>Student Counsellor</td><td>30/09/2018</td><td>Rs. 1000/- per hour for two hours for two days in a week</td></tr></table> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The contract period of the employees/University officials named at page 350 of the agenda notes be extended for a period of one year from their respective dates of expiry of contract.</p>	Sl. No.	Name of the Incumbent	Designation	Contact end period	Present Honorarium p.m.	1	Ms. Ruchika Ghosh	Guest Teacher	30/11/2018	Rs. 30000/-	2	Mr. Swapan Bhattacharya	University Doctor	30/09/2018	Rs. 17500/-	3	Ms. Barnali Ghosh	Student Counsellor	30/09/2018	Rs. 1000/- per hour for two hours for two days in a week
Sl. No.	Name of the Incumbent	Designation	Contact end period	Present Honorarium p.m.																		
1	Ms. Ruchika Ghosh	Guest Teacher	30/11/2018	Rs. 30000/-																		
2	Mr. Swapan Bhattacharya	University Doctor	30/09/2018	Rs. 17500/-																		
3	Ms. Barnali Ghosh	Student Counsellor	30/09/2018	Rs. 1000/- per hour for two hours for two days in a week																		

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Minutes of the 61st Meeting of the Executive Council held on 29/09/2018

26	Prayer of Mr. Premananda Mukherjee, Library Assistant	<p>Mr. Premananda Mukherjee has prayed for the post of Assistant Librarian as one of the two sanctioned post is lying vacant.</p> <p>This is to inform in this regard that the University does not have any promotional schemes till date. It will therefore be prudent if some promotional schemes be framed for the administrative staff and once approved by the Executive Council the same could be executed.</p> <p>Submitted for directions.</p> <p><u>Resolution</u></p> <p>This agenda item is deferred till the next Executive Council meeting.</p>	
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Dr. Premananda Mukherjee
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डॉ. अखिलेश गुप्ता
सचिव

Dr. Akhilesh Gupta
Secretary



विश्वविद्यालय अनुदान आयोग

बहादुरशाह ज़फर मार्ग, नई दिल्ली-110 002

UNIVERSITY GRANTS COMMISSION

BAHADUR SHAH ZAFAR MARG

NEW DELHI-110 002

OFF. : (011) 23239337

(011) 23236288

FAX : (011) 23238858

E-mail : secy@ugc.ac.in

D.O.No. F.3-2/2012(Admn.I/A&B)

28th May, 2013

Dear Sir/Madam,

Pursuant to the notification in F.No. IG/Admn(G)/DEC/2013/3057 dated 4th May, 2013 issued by Indira Gandhi National Open University (IGNOU), Statute 28 of IGNOU Act 1985 dealing with Distance Education Council (DEC), has been repealed and deleted with immediate effect. Accordingly, DEC of IGNOU stands dissolved.

Ministry of Human Resource Development, Government of India has entrusted all the regulatory responsibilities of the Open and Distance Learning (ODL) education system in the country upon UGC. UGC, in the meantime, is working on development of appropriate regulations for maintaining standards in ODL programmes/course.

In view of the above, wherever applicable, Universities may kindly ensure that no further affiliations/approvals are granted to any new centre for ODL programmes/courses till such regulations are notified and come into force.

With kind regards,

Yours sincerely,

(Akhilesh Gupta)

All Vice-Chancellors of Universities (list enclosed)

ANNEXURE 9

UNIVERSITY GRANTS COMMISSION NEW DELHI

F. No. 1-4/2013(CPP-II)

17th June, 2013

NOTIFICATION

WHEREAS, the University Grants Commission has been established under the University Grants Commission Act, 1956 (No. 3 of 1956) for the co-ordination and determination of standards in Universities; and it is the general duty of the Commission to take, in consultation with the Universities or other bodies concerned, all such steps as it may think fit for the determination and maintenance of standards of teaching, examination and research in Universities;

And WHEREAS, the Indira Gandhi National Open University has been established by the Indira Gandhi National Open University Act, 1985 (No. 50 of 1985) for the promotion of open and distance education systems and for the co-ordination and determination of standards of teaching, evaluation and research in such systems and for which purpose, the Indira Gandhi National Open University (hereinafter called IGNOU) in exercise of its powers had established the Distance Education Council (hereinafter called DEC) under Statute 28 of the IGNOU Act, 1985;

And further WHEREAS, IGNOU, vide its Notification No. IG/Admn (G)/DEC/2013 dated May 4th, 2013, with the approval of the President of India, in his capacity as the Visitor, has repealed the aforementioned Statute 28 of IGNOU Act, 1985 and has deleted the said Statute with immediate effect;


And WHEREAS, the Central Government, in exercise of its powers under section 20(1) of the University Grants Commission Act, 1956 (hereinafter called the Commission), has directed vide order No. F. No. 6-20/2010-DL dated 29th December, 2010 that the Commission shall act as a regulator for Higher Education (excluding Technical Education) through Open and Distance Learning (ODL) mode; and universities offering any programme/course in ODL mode shall require, inter alia, recognition from the Commission;

And WHEREAS, the Commission is in the process of framing regulations for maintaining standards in ODL systems/courses, which is likely to take some more time;

And WHEREAS, it is imperative in the larger public interest, and in the interest of institutions engaged in ODL, in particular, that a mechanism is in place for regulating ODL systems/courses till such time as the Commission is in a position to notify appropriate regulations;

Now therefore, the Commission in exercise of its powers conferred under section 12 of the UGC Act, 1956, hereby adopts the 'Guidelines of DEC on Minimum Requirements for Recognition of ODL Institutions' of the earlier DEC under the extant (and now repealed) Statute 28 of the IGNOU Act, 1985. Modifications in these guidelines, if necessary, will be notified from time to time.

It is hereby, further notified that this NOTIFICATION shall cease to be in force with effect from the date of coming into force of the UGC regulations on the subject mentioned herein.


(Akhilesh Gupta)
Secretary



विश्वविद्यालय अनुदान आयोग

University Grants Commission

(मानव संसाधन विकास मंत्रालय, भारत सरकार)

(Ministry of Human Resource Development, Govt. of India)

बहादुरशाह ज़फ़र मार्ग, नई दिल्ली-110002

Bahadur Shah Zafar Marg, New Delhi-110002

Ph : 011-23239337, 23236288,

Fax : 011-23238858, email : jssandhu.ugc@nic.in**PUBLIC NOTICE**

No.DEB/UGC/Website/2013

30th October, 2014**Subject: Status of approval / recognition of programme of Universities / Institutions through Open and Distance Learning (ODL) Mode.**

It has come to the notice of University Grants Commission (UGC) that some Universities/Institutions are giving misleading advertisements in the newspapers and through other media for admission in Programmes of Study through Open and Distance Learning (ODL) mode or online mode indicating that they have approval of the UGC for various programmes.

Students desirous of pursuing educational qualification through ODL mode are hereby advised to check the current status of approval / recognition of programmes of Universities / institutions on UGC website www.ugc.ac.in/deb. In the absence of the UGC approval, qualifications acquired through ODL mode shall not be treated recognised for the purpose of employment under Central Government.

Students are also advised to make note of the **Territorial Jurisdiction** of the ODL University/Institution and not to take admission at any Study Centre outside its Jurisdiction or **franchised Study Centre**/Contact point. Study Centre has to be operated by the University/Institution itself within its territorial jurisdiction only as per the UGC norms.

UGC has issued such public notices in the past vide notice No.27-1/2012(CPP-II) dated 27th June, 2013 and UGC/DEB/QMC/2013 dated 9th August, 2014.

**Secretary
UGC**



UNIVERSITY GRANTS COMMISSION
Bahadur Shah Zafar Marg
New Delhi-110 002

No. F.11-5/2015 (DEB-III)

Dated:-25.01.2016

PUBLIC NOTICE : DISTANCE EDUCATION PROGRAMMES

It has come to the notice of the UGC that some Universities/Deemed to be Universities/Institutions are offering programs through Open & Distance Learning (ODL) mode in gross violation of the policy of the UGC/erstwhile DEC. These Universities/Deemed to be Universities/Institutions are issuing misleading advertisements that their programmes are recognized by the UGC. Students, parents and public in general, are hereby, informed that the list of the recognized institutions (alongwith the courses), which are permitted to offer programmes through distance mode is posted on the UGC's website www.ugc.ac.in/deb. Besides, it may also be noted that no institution is permitted to offer Diploma/Bachelor/Master level programme under ODL mode in Engineering & Technology. Also, UGC has not accorded recognition to any university/institution to offer 'online' programmes.

As per the Hon'ble Supreme Court judgement (2005) in the case of Prof. Yashpal vs. the State of Chhattisgarh the policy of UGC with regard to territorial jurisdiction and off -campuses/study centres has been clearly articulated in its Public Notice dated June 27, 2013 which is available on UGC website. It may also be noted that qualifications acquired through ODL mode from a non-recognized institution(s) shall neither be recognized for the purpose of employment in government services nor for pursuing higher education.


(Dr. Jaspal Singh Sandhu)
SECRETARY, UGC

www.ugc.ac.in/deb



UNIVERSITY GRANTS COMMISSION
DISTANCE EDUCATION BUREAU
35-FEROZE SHAH ROAD
NEW DELHI-110 001

F.No. 12-12/2016 (DEB-III)

Dated: Oct., 2016

By Speed Post

06 OCT 2016

The Registrar/Director
(As per list)

Sub: Online Examinations under Open and Distance Learning mode-Reg.

Sir,

As you are aware that while seeking recognition for the years 2015-16 and 2016-17, the institutions submitted an affidavit agreeing to various conditions including that "no online programme leading to award of degree/certification shall be offered by the University/institution until a policy is framed and approved by UGC in this regard".


However, it has been noted by UGC that some institutions/universities which have been approved by UGC to impart education through open and distance learning mode are offering to conduct 'Online Examinations'.

The matter was considered and it was observed that creditable online examination system for large number of learners involves a lot of complexity of managerial issues, availability of reliable and robust alternative networks connecting all examination centres, highly secured ICT systems; development of difficulty level based huge question banks etc., requiring heavy initial expenditure and running costs. It was also observed that so far, UGC has not laid down any standard parameters for holding the examinations 'Online'.

It is therefore, requested that your university/institution should not conduct 'Online Examinations' until such time that the UGC Guidelines are formulated and made mandatory applicable.

This issues with the approval of competent authority.

Yours faithfully


(Megha Kaushik)
Education Officer

Copy to:

The Publication Officer (for uploading on UGC (DEB) website)




(Megha Kaushik)
Education Officer

**University Grant Commission
Distance Education Bureau**

F.12-12/2016 (DEB-III)

List of Universities/institutions

S.No.	Name
1	The Registrar Andhra University, Waltair Junction, CBM Compound, Visakhapatnam, Andhra Pradesh-530003
2	The Registrar Dr. Bhim Rao Ambedkar Open University, Prof.G.Ram Reddy Marg Road No:46-Jubilee Hills Hyderabad -500033 Telangana
3	The Registrar Dravidian University, Dravidian University Road, Srinivasa Vanam, Kuppam, Andhra Pradesh-517425
4	The Registrar Gandhi Institute of Technology and Management (GITAM), Gandhi Nagar Campus, Rushikonda, Visakhapatman – 530 045, Andhra Pradesh.
5	The Registrar/Director Rashtriya Sanskrit Vidyapeeth, Royal Nagar, Chittoor District, Tirupati – 517 507 Andhra Pradesh
6	The Registrar Sri Venkateswara University, Triupati-517502 Andhra Pradesh
7	The Registrar University of Hyderabad, Prof CR Rao Road, Gachibowli, Hyderabad, Telangana 500046
8	The Registrar Rajiv Gandhi University, Rono Hill, Dist. Papum Pare, Doimukh, Arunachal Pradesh-791112
9	The Registrar Assam Don Bosco University, Airport Road, Azara, Guwahati, Assam 781017

10	The Registrar Assam Down Town University, Chandrapur Road, Sankar Madhab Path, Gandhi Nagar, Panikhaiti, Guwahati, Assam 781026
11	The Registrar Dibrugarh University, Dibrugarh, Assam 786004
12	The Registrar Krishna Kanta Handiqui Open University, Headquarters: Patgaon, Rani Guwahati- 781017 Assam
13	The Registrar Tezpur University, Napaam, Sonitpur, Assam- 784 028
14	The Registrar Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur-842 001, Bihar
15	The Registrar Jai Prakash Vishwavidyalaya, Rahul Sankrityan Nagar, Near Parwati Ashram, Chota Telpa, Chhapra, Bihar 841301
16	The Registrar Lalit Narayan Mithila University, SH 56 , Kameshwar Nagar, Darbhanga, Bihar 846008
17	The Registrar Magadh University, Bodh Gaya.-824 234, Bihar
18	The Registrar Nalanda Open University, 2nd/3rd Floor, Biscomaun Bhawan Gandhi Maidan, Patna -800 001 BIHAR
19	The Registrar Patna University, Near Patna College, Ashok Rajpath Road, Patna, Bihar 800005
20	The Registrar Dr. C.V. Raman University, Kargi Road, Kota, Bilaspur-495113, Chhattisgarh.

21	The Registrar Pt. Sundarlal Sharma Open University, Bilaspur Koni-Birkona Marg Gram Post-Birkona Dist. Bilaspur (C.G.) -495009.
22	The Director All India Management Association, 24-25, 4th Floor, Andhra Association Building, Lodhi Road, Institutional Area, New Delhi 110003
23	The Registrar Indira Gandhi National Open University, Maidain Garhi, New Academic Complex, New Delhi-110068
24	The Registrar Jamia Hamdard, Humdard Nagar, Guru Ravidas Marg, Tughlakabad, New Delhi-110062
25	The Registrar Jamia Millia Islamia University, Maulana Mohammad Ali Jauhar Marg, Jamia Nagar, Okhla, New Delhi-110 025.
26	The Registrar Rashtriya Sanskrit Sansthana, 56-57 institutional Area, D-Block, Janak puri, New Delhi-110058
27	The Registrar TERI School of Advanced Studies, Plot No. 10, Institutional Area, Vasant Kunj, New Delhi- 110070
28	The Registrar University of Delhi, School of Open Learning, South Study Center, South Moti Bagh, Old Moti Lal Nehru College Building, New Delhi-110021
29	The Director Institute of Rail Transport, 17, Rail Bhavan, Raisina Road, New Delhi – 110 001
30	The Director National Institute of Health and Family Welfare, Baba Gang Nath Marg, Munirka, New Delhi – 110 067
31	The Director TECNIA Institute of Advanced Studies, 3 PSP, Institutional Area, Madhuban Chowk, Rohini, New Delhi – 110 085

32	The Registrar Dr. Babasaheb Ambedkar Open University, Jyotirmay Prisar, opp. Shri Balaji temple, Sarkhej-Gandhinagar Highway, Chharodi Ahmedabad - 382 481, Gujarat
33	The Director Entrepreneurship Development Institute of India, Gandhinagar-Ahmedabad Road , Next to Apollo Hospital, Bhat, Ahmedabad, Gujarat 382428
34	The Registrar Guru Jambheshwar University of Science and Technology, NH-10, Rohtak Hissar Sirsa Road, Hisar, Haryana 125001
35	The Registrar Kurukshetra University, Kurukshetra- 136 119, Haryana.
36	The Registrar Maharishi Dayanand University, Delhi Road, University Secretariat, Rohtak, Haryana 124001
37	The Registrar Himachal Pradesh University, Gyan Path Summer Hill Shimla- 171005, Himachal Pradesh
38	The Registrar University of Jammu, Babasaheb Ambedkar Road, Jammu Tawi -180 006, Jammu & Kashmir
39	The Registrar University of Kashmir, Hazratbal, Srinagar-190 006, Jammu & Kashmir.
40	The Director IFIM Business School, No. 8P & 9P, Opposite Infosys Gate 4, KIADB Industrial Area, Electronics City Phase 1, Bengaluru, Karnataka 560100
41	The Registrar Karnataka State Women's University, Jnanashakti Campus, Athani Road, Torvi, Vijayapura, Karnataka 586108
42	The Registrar Kuvempu University, Jnana Sahyadri, Shankaraghatta, Shimoga -577 451, Karnataka

43	The Registrar Mangalore University, Mangalagangothri, Mangalore-574 199, Karnataka
44	The Registrar/Director Swami Vivekananda Yoga Anusandhana Samsthana, #19, 'Eknath Bhavan', Circle, Kempe Gowda Bengaluru, Gavipura, Kempegowda Nagar, Bengaluru, Karnataka 560019
45	The Registrar Tumkur University, Vishwavidyanilaya Karyalaya, B.H Road, Tumakur, Karnataka 572103
46	The Registrar Kannur University, Thavakkara, Civil Station Post, Kannur-670 002, Kerala
47	The Registrar Madhya Pradesh Bhoj Open University, Kolar Road, Near Swarn Jayanti Park Chuna Bhatti, Bhopal Madhya Pradesh- 462016
48	The Registrar Barkatullah University, Hoshangabad Road, Bhopal-462 026, Madhya Pradesh.
49	The Registrar Mahatma Gandhi Chitrakoot Gramoday Vishwavidyalaya, District Satna, Chitrakoot-485 334, Madhya Pradesh.
50	The Registrar Dr Harisingh Gour Vishwavidyalaya, University Road, Sagar, Madhya Pradesh 470003
51	The Registrar Jiwaji University, City Center, Gwalior- 474 011 Madhya Pradesh
52	The Registrar Maharishi Mahesh Yogi Vedic Vishwavidyalaya, Karaundi, PO Umariyapan Dist- Katni-483332, Madhya Pradesh
53	The Registrar Dr. D.Y. Patil Vidyapeeth, Pimpri, Sant Tukaram Marg, Pune-411018 Maharashtra

54	The Director Indian Institute of Material Management , Plot No 102/104, Institutional Area, Sector 15, Iimm Nhq Education Wing, Belapur - Cbd, Navi Mumbai - 400614 Maharashtra
55	The Director International Institute for Population Sciences, Govandi Station Road, Deonar, Mumbai-400088 Maharashtra
56	The Registrar Mahatma Gandhi Antarrashtriya Hindi Vishwavidyalay, Vardha Gandhi Hills PO-Hindi Vishwavidyalaya, Vardha-442005, Maharashtra
57	The Registrar/Director MIT School of Distance Education, 124, Ex-Service Men Colony, Paud Road, Kothrud, Pune-411038(Maharashtra)
58	The Director Narsee Monjee Institute of Management Studies, V.L. Mehta Road, Vile Parle (West), Mumbai- 400056 Maharashtra
59	The Director Rashtrabhasha Prachar Samiti Gyan Mandal, Rashtrabhasha Prachar Samiti Parisar, Hindi Nagar, Wardha - 442 003 Maharashtra
60	The Registrar Shivaji University, Vidyanagar, Kolhapur-416 004, Maharashtra
61	The Registrar Swami Ramanand Teerth Marathwada University, Dnayanteerth Vishnupuri, Nanded-431 606, Maharashtra
62	The Director Symbiosis Centre for Distance Learning Symbiosis Bhavan, 1065-B, Gokhale Cross Road, Model Colony, Pune-411 016

63	The Registrar/Director Tata Institute of Social Sciences, V.N. Purav Marg, Sion Trombay Road, Deonar, Mumbai- 400088 Maharashtra
64	The Registrar Yashwantrao Chavan Maharashtra Open University, Dnyangangotri Near Gangapur Dam, Nashik, Maharashtra- 422222
65	The Registrar Bharati Vidyapeeth, LBS Road, 13 Sadashiv Peth, Next to Alka Talkies, Pune, Maharashtra 411030
66	The Registrar University of Mumbai, M.G Road Fort Mumbai, Maharashtra 400032
67	The Registrar The Institute of Chartered Financial Analysts of India University, Durtlong North, Aizawal – 796025, Mizoram
68	The Director Asian School of Business Management, Shiksha Vihar, Bhola Baranga- Khura road, Chandaka, Bhubneshwar-754 012 Odisha
69	The Registrar Berhampur University, Bhanja Bihar, Berhampur-760 007, Dt. Ganjam, Odisha.
70	The Registrar, Fakir Mohan University, Balasore-756 070, Odisha
71	The Registrar Utkal University, Vani Vihar, Bhubaneswar-751004 Odisha
72	The Registrar Pondicherry University, Bharat Ratna Dr. B.R.Ambedkar Administrative Building, R.V.Nagar, Kalapet, Puducherry – 605014

73	The Registrar Lovely Professional University, Jalandhar-Delhi GT Road (NH-1), Near Chehru Railway Bridge, Phagwara-144411, Punjab.
74	The Registrar Panjab University Sector-14 Chandigarh-160 014
75	The Registrar Bhagwant University, Post Box No. 87, Sikar Road, Ajmer – 305 004, Rajasthan
76	The Registrar Jagan Nath University, NH-12, Chaksu Bypass, Tonk Road, Jaipur-303901, Rajasthan
77	The Registrar/Director Jain Vishva Bharati Institute, Ladnun, Rajasthan 341306
78	The Registrar Jaipur National University, Jaipur Agra By Pass, Near RTO Office, Jagatpura, Jaipur-302017, Rajasthan
79	The Registrar Jayoti Vidyapeeth Women's University, Vedant Gyan Valley, Village- Jharna, Mahala- Jobher, Link Road, Jaipur-Ajmer Expressway (NH-8), Jaipur-303122, Rajasthan
80	The Registrar NIMS University, Shobha Nagar, Jaipur-Delhi Highway, NH-11C Jaipur – 303 121, Rajasthan
81	The Registrar Suresh Gyan Vihar University, Mahal, Jagatpura, Jaipur-302017, Rajasthan.
82	The Registrar Vardhman Mahaveer Open University, Rawatbhata Road Kota-324021 Rajasthan

83	The Registrar The Institute of Chartered Financial Analysts of India University, (ICFAI) Ranka Road, Lower Sichey, Gangtok-737101, Sikkim.
84	The Registrar Vinayaka Missions Sikkim University, Plot No. 438, N-31 A Tadong, PO Daragaorn, Tadong, East Sikkim - 737 102.
85	The Registrar Shanmugha Arts, Science, Technology, Research & Academy (SASTRA), Thirumalaisamudram, Thanjavur-613 401, Tamil Nadu.
86	The Registrar Tamil Nadu Open University, No 577, Anna Salai Saidapet- 600 015 Chennai
87	The Director Dakshin Bharat Hindi Prachar Sabha, 12, Thanikachalam Naicken Street, T Nagar, Chennai, Tamil Nadu 600017
88	The Registrar Tamil University, Coimbatore Nagapattinam Highway, Natchathira Nagar, Thanjavur-613010, Tamil Nadu
89	The Registrar Acharya Nagarjuna University Guntur-522510 Andhra Pradesh
90	The Registrar Maulana Azad National Urdu University, Gachibowli, Hyderabad-500032 Telangana
91	The Registrar National Academy of Legal Studies & Research University, Justice City, Shameerpet, RR District, Hyderabad-500 078, Telangana
92	The Director National Institute of Rural Development (NIRD), NIRD Road, Rajendranagar Mandal, Hyderabad, Telangana 500030

93	The Registrar Potti Sreeramulu Telugu University, Lalitha Kala Kshetram, Public Gardens, Nampally, Hyderabad-500 004, Telangana
94	The Registrar The English and Foreign Languages University, Osmania University Campus, Hyderabad- 500007 Telangana
95	The Registrar Institute of Chartered Financial Analysts of India, (ICFAI), PO Kamalghat, Agartala-Simna Road, Mohanpur, Dhaleswar Agattala-799210, Tripura,
96	The Registrar Tripura University, Suryamaninagar, Agartala-799 022, Tripura.
97	The Registrar Aligarh Muslim University, Aligarh-202 002 (UP)
98	The Director IMT Distance and Open Learning Institute A-16, Site-3, UPSIDC Industrial Area, Meerut Road, Ghaziabad – 201 003 Utter Pradesh
99	The Registrar Integral University, Dasauli, PO Bas-ha, Kursi Road, Lucknow-226 026, Uttar Pradesh.
100	The Director NIMT Institute of Technology and Management, G T road, Delhi Ghaziabad Highway, Near Hindon River Bridge, Ghaziabad- 201007 Uttar Pradesh
101	The Director NIMT, Plot No.41, Knowledge Park-I, Kasna Road, Greater Noida, Distt. Gautam Budh Nagar – 201 310 (UP)
102	The Registrar Sam Higginbottom Institute of Agriculture, Technology & Sciences, P.O. Agricultural Institute, Rewa Road, Allahabad – 211 007, Uttar Pradesh.

103	The Registrar Swami Vivekanand Subharti University, Subhartipuram, NH-58, Delhi-Haridwar Meerut By Pass Road, Meerut-250005, Uttar Pradesh.
104	The Registrar Teerthanker Mahaveer University, Delhi Road, Bagarpur Moradabad-244001 Uttar Pradesh
105	The Registrar U.P.Rajarshi Tandon Open University, Shantipuram Awas Yojna (Sec-F) Phaphamau, Allahabad-211013 Uttar Pradesh
106	The Registrar Dev Sanskriti Vishwavidyalaya, Gayatrikunj - Shantikunj, Haridwar - 249 411 Uttarakhand
107	The Registrar Institute of Chartered Financial Analysts of India (ICFAI), Rajawala Road, Central Hope Town, Selaqui, Dehradun-248197, Uttarakhand
108	The Registrar University of Petroleum & Energy Studies, Bidholi, Via Prem Nagar, Dehradun-248007, Uttarakhand
109	The Registrar Uttarakhand Open University, Behind Transport Nagar Vishwavidyalaya Marg Haldwani (Nainital) -263139 Uttarakhand
110	The Registrar Netaji Subhas Chandra Bose Open University, DD-26, Sector-I, Salt Lake City Kolkata - 700 064
111	The Registrar University of North Bengal, Raja Rammohunpur Dist- Darjeeling-734013 West Bengal
112	The Registrar Rabindra Bharati University, Emerald Bower Campus, 56A, B.T. Road, Kolkata, West Bengal 700050

113	The Registrar University of Burdwan, Rajbati, Bardwan, West Bengal 713104
114	The Registrar University of Kalyani, District Nadia, Kalyani, West Bengal 741235
115	The Registrar Vidyasagar University, Midnapore, West Bengal 721102
116	The Registrar Assam University, Cachar District, Silchar, Assam 788011
117	The Registrar Saurashtra University, University Campus Rajkot- 360 005, Gujarat.
118	The Registrar Chaudhary Devi Lal University, Barnala Road, Sirsa-125055, Haryana.
119	The Director JK Business School, Gurgaon Sohna Expressway, Damdama Lake Road, Bhondsi, Gurgaon – 122 102 (Haryana)
120	The Registrar Rani Durgavati Vishwavidyalaya, Saraswati Vihar, Pachpedi, Jabalpur-482 001, Madhya Pradesh.
121	The Registrar Padamshri Dr. D.Y. Patil Vidyapith, Sector-7 Navi Mumbai- 400706 Maharashtra.
122	The Registrar Thapar Institute of Engineering & Technology, Thapar Technology Campus, Bhadson Road, P.O. Box 32 Patiala-147 004, Punjab.
123	The Registrar Tamil Nadu Dr. Ambedkar Law University , 5,Poompozhi, Dr.D.G.S Dhinakaran Salai, Chennai, Tamil Nadu-600028

124	The Registrar Madurai Kamraj University, Palkalai Nagar, Madurai, 625021
125	The Registrar Amity University, Block J2 Ground Floor, Amity University Cumpas, Sec-125 Noida-201313 Uttar Pradesh
126	The Registrar University of Allahabad, Senate House Campus, University Road, Old Katra, Allahabad, Uttar Pradesh 211002
127	The Registrar Jawaharlal Nehru Technological University, Kukatpally, Hyderabad 500085 Telangana
128	The Registrar Rayalaseema University, Nandyal Raod, Opp G Pulla Reddy Engineering college, Kurnool A.P-518007
129	The Registrar Sri Krishnadevaraya University, Kadiri - Ananthapur Highway, kandukuru, Anantapur, Andhra Pradesh 515591
130	The Registrar Sri Padmavati Mahila Vishwavidyalayam, Padmavathi Nagar, Tirupati, Near West Railway Station, Tirupati, Chittoor, Andhra Pradesh 517502
131	The Registrar Gauhati University, Gopinath Bardoloi Nagar, Guwahati- 781 014, Assam.
132	The Registrar Kannada University, Hampi, Vidyaranya - 583 276, Taluk, Bellary, Karnataka.
133	The Registrar National law School of India University, P.O Bag-7201, Nagarbhavi, Bengaluru, Karnataka 560242

134	The Registrar Devi Ahilya Vishwavidyalaya, "Nalanda Campus", 165, R.N. Tagore Marg, Indore-452 001, Madhya Pradesh.
135	The Registrar Awadesh Pratap Singh University, Sirmour Road, Ananthpur, Rewa, Madhya Pradesh 486003
136	The Registrar Mahatma Gandhi University, 13th Mile, G.S. Road, Khanapara, Ri-Bhoi, Guhawati, Meghalaya 793101
137	The Registrar North Orissa University, Sri Ram Chandra Vihar, Takatpur, Baripada, District Mayurbhanj- 757003, Bhubaneswar, Odisha.
138	The Registrar Sambalpur University, Jyoti Vihar, Sambalpur-768 019, Odisha.
139	The Registrar ICFAI Foundation for Higher Education, Dontanapalli, Shankarapally Road, Hyderabad-501203, Telangana.
140	The Registrar Kakatiya University, Vidyananyapuri, Hanamkonda, Warangal-506 009, Telangana
141	The Registrar Osmania University, Osmania University bhadson road. P.O Bpx 32, Patiyala, 147 007 Main Rd, Hyderabad, Telangana 500007
142	The Director Indian Institute of Carpet Technology, Chauri Road, Bhadohi - 221 401 Utter Pradesh
143	The Registrar Jadavpur University, 188, Raja S.C. Mallik Road, PO Jadavpur, Kolkata-700 032, (West Bengal)

144.	The Director Welingkar Institute of Management, Research & Development, CTS 163/10 to 179/10, Lakhamsi Napoo Road, Matunga(Central), Next to RA Poddar College, Mumbai – 400019
145.	The Registrar I. K Gujaral Punjab Technical University, Jalandhar-Kapurthala Highway Kapurthala-144603 Punjab
146	The Registrar Sikkim Manipal University 5th Mile, Tadong -737102 Gangtok Sikkim
147	The Registrar MATS University Aarang – Kharora Highway, Aarang Raipur – 493441, Chhattisgarh

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UNIVERSITY GRANTS COMMISSION
DISTANCE EDUCATION BUREAU
35-FEROZE SHAH ROAD
NEW DELHI-110 001

F.No. 74-4/2017 (DEB-4)

17th July, 2017

PUBLIC NOTICE

OPEN AND DISTANCE LEARNING PROGRAMMES

UGC (Open and Distance Learning) Regulations, 2017

The UGC (Open and Distance Learning) Regulations, 2017 have been notified in the Gazette on 23.06.2017. The process for admission for the year 2017-18 by the Universities/Institutions is ongoing. Keeping in view the para 3, sub-para (1) of Part-II of the said Regulations, it has been decided that the UGC (Open and Distance Learning) Regulations, 2017 will be operationalised from the year 2018-19.


(Dr. Avichal Kapur)
Joint Secretary

The Publication Officer (for uploading on UGC (DEB) website)

UNIVERSITY GRANTS COMMISSION

NOTIFICATION

New Delhi, the 4th July, 2018

F. No. 1-19/2016 (CPP-II/DEB-I).—In exercise of the powers conferred by clause (j) of section 12 read with clauses (f) and (g) of sub-section (1) of section 26 of the University Grants Commission Act, 1956 (3 of 1956), the University Grants Commission makes the following regulations, namely:—

1. Short title and commencement.—

- (1) These Regulations may be called the University Grants Commission (Online Courses or Programmes) Regulations, 2018.
- (2) These Regulations shall come into force from the date of their publication in the Official Gazette.

2. Application.—(1) These Regulations lay down the minimum standards of instruction for the grant of Certificate or Diploma or Degree, through online mode, delivered through interactive technology using internet.

- (2) These Regulations shall apply to a University referred to under clause (f) of section 2 of the University Grants Commission Act, 1956 (3 of 1956), an Institution deemed to be University under section 3 of the said Act or a University established under any State Act, which are imparting higher education or research therein by means of conducting regular classes or through Open and Distance Learning systems or through online education system that result in grant of Degree or Diploma or Certificate, in various Courses or Programmes other than Courses or Programmes in engineering, law, medicine, dental, pharmacy, nursing, architecture, physiotherapy, applied arts and such other Courses or Programmes not permitted to be offered through online or Open and Distance Learning mode by any other statutory or regulatory body or council.

3. Definitions.—In these Regulations, unless the context otherwise requires,—

- (a) 'Act' means the University Grants Commission Act, 1956 (3 of 1956);
- (b) 'Academic Council or Senate' means the body empowered to take decisions regarding all academic matters in a Higher Educational Institution including the decision permitting Online Courses or Programmes of studies in compliance to these regulations;
- (c) 'Certificate' means an award, not being a Degree or Diploma, granted by a Higher Educational Institution, certifying that the recipient has successfully completed an Online Course or Programme of study of minimum six months duration;
- (d) 'Commission' means the University Grants Commission established under the Act;
- (e) 'Credit' means the Unit award, gained as learning outcome, by a learner by study efforts required to acquire the prescribed level of learning in respect of that Unit;

Explanation.— It is hereby clarified that a study effort for one credit means time required by a learner to understand the contents equivalent to 15 hours classroom teaching.

- (f) 'Degree' means an award, not being a Certificate or Diploma, granted by an Higher Educational Institution, certifying that the recipient has successfully completed an Online Course or Programme of study of minimum three years duration in case of graduate degree and includes a post-graduate degree, where such award is granted after an Online Course or Programme of study of minimum two years duration;
- (g) 'Diploma' means an award, not being a Certificate or Degree, granted by a Higher Educational Institution, certifying that the recipient has successfully completed an Online Course or Programme of study of minimum one year duration;
- (h) 'e-Learning Material' means and includes contents in the form of structured course material, as a part of one or more courses in the Online Course or Programme, in digital format delivered through Learning Management System, which is inter-alia self-explanatory, self-contained, self-directed at the learner, and amenable to self-evaluation, and enables the learner to acquire the prescribed level of learning in a course of study, but does not include text-books or guide-books;
- (i) 'Examination centre' means a place, where examinations are conducted for the online mode learners, having the requisite infrastructure including security features for smooth conduct of such examinations;
- (j) 'Higher Education' means such education, imparted by means of conducting regular classes or through open and distance education systems or through online education system, beyond twelve

years of schooling and leading to the award of a Certificate or Diploma or Degree as the case may be;

- (k) 'Higher Educational Institution' means a university covered under clause (f) of section 2 and an institution deemed to be a university under section 3 of the Act, which is imparting higher education or research therein by means of conducting regular classes or through Open and Distance Learning systems or through online education system;
- (l) 'Learner Support Services' means and includes such services as are provided by a Higher Educational Institution in order to facilitate the teaching-learning experiences by the learner;
- (m) 'Learning Management System' means a system to keep track of delivery of e-Learning Programs, learner's engagement, assessment, results and reporting in one centralized location;
- (n) 'Open University' includes a University which imparts education through distance education or Open and Distance Learning mode using different modes of Information and Communication Technology;
- (o) 'Information and Communication Technology' means the devices, tools, content, resources, forums that can be converted into or delivered through digital forms, which can be deployed for realizing the goals of teaching learning, enhancing access to and reach of resources, building of capacities, as well as management of the educational system;
- (p) 'MOOCs' shall have the same meaning as assigned to it under sub-regulation 3.6 of regulation 3 of the UGC (Credit Framework for Online learning courses through SWAYAM) Regulations 2016;
- (q) 'Online Course or Programme' means the Course or Programme of studies which is delivered through online mode leading to award of a Certificate or Diploma or Degree by an approved Higher Educational Institution and recognised under these Regulations;
- (r) 'Proctored Examination' means the examination conducted under the physical supervision of approved neutral person who ensures the identity of the test taker and the integrity of the test taking environment.
- (s) 'SWAYAM' (Study Webs of Active Learning for Young Aspiring Minds) means the learning management system as specified in the UGC (Credit Framework for online learning courses through SWAYAM) Regulation 2016;
- (t) 'Self-Learning e-Module' means a modular unit of e-learning material which is inter-alia self-explanatory, self-contained, self-directed at the learner, and amenable to self-evaluation, and enables the learner to acquire the prescribed level of learning in a course of study and includes contents in the form of a combination of the following e-Learning content, namely:-
 - (a) e-Text Materials,
 - (b) Video Lectures,
 - (c) Audio-Visual interactive material,
 - (d) Virtual Classroom sessions,
 - (e) Audio Podcasts,
 - (f) Virtual Simulation, and
 - (g) Self-Assessment Quizzes or Tests.

4. Eligibility Criteria.—Any Higher Educational Institution, which fulfills the following conditions, may apply for offering Online Course or Programme, namely:-

- (1) (i) should have been in existence for at least five years;
 - (ii) should be accredited by the National Assessment and Accreditation Council (NAAC) with minimum score of 3.26 on a 4-point scale; and
 - (iii) should be in the Top-100 in overall category in the National Institutional Ranking Framework (NIRF) for at least two years during the previous three years:
- Provided that items (ii) and (iii) shall not be applicable to government Open University till National Assessment and Accreditation Council (NAAC) or similar accreditation system and National Institutional Ranking Framework (NIRF) are made available for such Open University.
- (2) An Higher Educational Institution shall offer Online Course or Programme in only those disciplines in which it has already been offering the same or similar Course or Programme in regular mode (of classroom teaching) or in Open and Distance Learning mode and from which at least one batch has been passed out:

Provided that the Online Course or Programme requiring Practical or laboratory courses as a curricular requirement shall not be conducted.

- (3) An Higher Educational Institution may offer Certificate, Diploma and Degree Courses or Programmes in full-fledged online mode subject to the condition that all such Courses or Programmes are duly approved by the statutory authorities or bodies of the Higher Educational Institution and the delivery mechanism conforms to the quality standards of the Online education as specified under these regulations.
- (4) An Higher Educational Institution should have the demonstrated capability for developing and production of Online Courses or Programmes-
 - i) by in-house faculty for designing courses of the Course or Programme and developing the same in a manner that can impart skills and knowledge;
 - ii) with the technology for production including in-house or duly out-sourced production facilities for converting the courses of a Course or Programme into Online Courses or Programmes in the following minimum four quadrants, namely:-
 - (a) learning videos with recording or dubbing or editing facilities for graphics or animation creation;
 - (b) e-content for reading and improving comprehension of learners;
 - (c) tests and assignments that test the understanding; and
 - (d) discussion forum that clarifies the doubts of the learners;
 - iii) having access to SWAYAM for-
 - (a) Learner Authentication - integrated with AADHAAR or other government recognised identity for Indian students and Passport for foreign students;
 - (b) Learner Registration - through a web application with supporting documents;
 - (c) Payment Gateway –using Digital Payment system;
 - (d) Learning Management System - which tracks the delivery of a Course or Programme, learner's engagement, assessment, results, and reporting supported by analytical tools that can help the teachers to extract and use the relevant reports;
 - iv) with ability to conduct examinations either using technology-enabled online test with all the security arrangements ensuring transparency and credibility of the examinations, or through the Proctored Examination.

5. Application for the Online Courses or Programmes.- (1) An eligible Higher Educational Institution shall submit proposal for offering Online Courses or Programmes to the Commission through online application, as per the time schedule as laid down by the Commission from time to time.

- (2) The application form shall contain the following details, namely:-
 - (i) the approval of the statutory bodies under its Act or Memorandum of Association governing the Higher Educational Institution for offering the Course or Programme in Online mode;
 - (ii) access to SWAYAM or such other platform for effective delivery of all the proposed Course or Programme of study;
 - (iii) list of the Course or Programme proposed to be offered and the expected enrolment of students and other requirements;
 - (iv) systems for Learner Support Services, establishing Internal Quality Assurance Cell for Online Courses or Programmes, availability of the academic and other staff and the administrative arrangements for supportive services for effective delivery of such Online Courses or Programmes;
 - (v) proof of availability or appointment of suitable faculty and staff, infrastructure and technology as specified in **Annexure -1** to these regulations;
 - (vi) expected learning outcomes from the Course or Programme.

6. Approval process.—(1) The Commission shall process the application received under regulation (5) in the following manner, namely:—

- (i) any deficiency or defect in the application shall be communicated by the Commission to the Higher Educational Institution and the Higher Educational Institution shall be required to remove

- or rectify such deficiencies or defects with the necessary documents or information, if any within the laid down time period;
- (ii) where the Higher Educational Institution has made an application for offering a Course or Programme in Online mode, the Commission may cause an inspection, in respect of such Course or Programme at its discretion through an Expert Committee; and
 - (iii) the Commission may examine the application with the help of an expert Committee constituted by Chairman of the Commission and the recommendations of such expert Committee shall be placed before the Commission for its consideration.
- (2) After receiving the recommendations of the expert committee, the Commission, if it is satisfied that the Higher Educational Institution fulfils the laid down conditions and the quality parameters specified under these Regulations, shall pass an order granting recognition to such Higher Educational Institution or if it is of the opinion that the institution does not fulfil the laid down requirements in respect of any of the Course or Programme proposed to be offered by it, shall pass an order refusing recognition to such Higher Educational Institution for reasons to be recorded in writing.
- (3) No Higher Educational Institution shall offer any Online Course or Programme and admit students thereto unless it has been granted recognition by the Commission and admission shall not be made in anticipation of the approval.

Explanation.—For the removal of doubts, it is hereby clarified that prior to these regulations, the commission has not given recognition for an Online Course or Programme to any Higher Educational Institution.

- (4) The time periods for different stages of approval process shall be laid down by the Commission from time to time.

7. Operation of the Online Courses and Programmes.—(1) The institutions which were given recognition by the Commission under regulation 5 may operate the Online Courses or Programmes from the next following academic session.

(2) The Online Course or Programme offered under these regulations shall conform to the following conditions, namely:-

- (i) The Online Courses and Programmes' delivery shall be through the SWAYAM portal;
Provided that the Commission may allow any other learning platform after the same is approved by the expert committee after due verification:
Provided further that the content and the designing and development of courses of the Course or Programme shall have to be developed by the in house faculty as stipulated in item (i) of sub-regulation (4) of regulation.
- (ii) The Courses or Programmes shall be designed for conventional learners, as well as working professionals and other individuals aspiring to acquire knowledge and associated academic credentials;
- (iii) The online learning shall have the following four quadrants 'approach', namely:-
 - (a) Quadrant-I i.e. e-Tutorial that shall contain - Video and Audio Contents, animation, simulations, virtual labs.
 - (b) Quadrant-II i.e. e-Content, that shall contain - Portable Document Format or e-Books or Illustration, video demonstrations, documents and interactive simulations, wherever required.
 - (c) Quadrant-III i.e. Web Resources, that shall contain - Related Links, Open Content on Internet, Case Studies, Historical development of the subject, Articles.
 - (d) Quadrant-IV i.e. Self-Assessment, that shall contain – MCQ, Problems, Quizzes, Assignments and solutions, Discussion forum topics and setting up the FAQ, Clarifications on general misconceptions.
- (iv) apart from the actual Course or Programme delivery, other components such as Counseling Process, Online Application Processing and fee payment shall also be provided through Online Mode.
- (v) there shall be provision for continuous assessment of the learner.

- (vi) examinations shall be conducted through Proctored Examination and in conformity with any other norms for such examination as may be laid down by the Commission from time to time.
 - (vii) Higher Educational Institutions shall upload the mandatory self-disclosure for Online Courses or Programmes on their website every year and undergo third party academic audit every two years and internal quality audit every year.
 - (viii) the Program-wise information such as duration, start and end dates, fee, number of students, name of students with identifier, results shall be uploaded on the website of the Higher Educational Institution within ten days from the end of each activity and shall be updated on a continuous basis.
- (3) The Higher Educational Institution may evolve the curricular aspects, assessment criteria and Credit framework for the award of Degree or Diploma or Certificate adopting the following requirement, namely:—
- (i) the course content for each course shall be clearly defined, each having modular e-content, delivered online in a structured format, with clearly spelt out learning outcomes which students are expected to acquire at the end of the module.
 - (ii) Courses or Programmes architecture shall permit the online teacher or instructor to add multi-media enriched and interactive content, activities and assessments to extend learning opportunities and shall be easy to navigate.
 - (iii) a Certificate Course or Programme shall be of minimum of six months' duration and shall have minimum twenty credits.
 - (iv) a Diploma Course or Programme shall be of minimum of one year duration and shall have minimum forty credits.
 - (v) the Credits and minimum duration for the Degree Courses or Programmes offered Online shall be the same as specified by the Commission under Choice Based Credit System (CBCS).
 - (vi) the maximum duration for completing the Online Course or Programme shall be double the minimum duration of the Course or Programme or as laid down by the Commission from time to time.
 - (vii) a Higher Educational Institution may decide the number of credits for an Online Course or Programme at Certificate and Diploma level having duration more than minimum duration, proportionally based on those given in item (iii) and item (iv).
 - (viii) the academic sessions shall begin either from July – August or from January – February every year.
 - (ix) availability of assessment mechanism - each course in the Online Course or Programme shall have a precise assessment mechanism for the identified learning outcomes at each level for both continuous formative and summative assessments.
 - (x) identified technological interface and interoperability - the Online Course or Programme shall be able to utilise a variety of technology tools, shall have a user friendly interface and meet accessibility standards for interoperability and access for learners with special needs.
 - (xi) professional Online Courses or Programmes - in case a Higher Educational Institution intend to offer professional Online Course or Programme in subject areas other than those excluded in sub-regulation (2) of regulation 2, the proposal of Online Courses or Programme, submitted to the Commission along with the application for approval, shall include copy of the approval granted by the professional or statutory body or council concerned for offering such Course or Programme in Online mode and compliance to the requirements of the appropriate professional or statutory council for the Course or Programme covered in their domain shall be responsibility of the Higher Educational Institutions offering such Course or Programme and the Higher Educational Institutions shall be held responsible for any legal issues arising out of non-compliance to such requirements.
- (4) Learners' Requirements for Enrollment to Online Courses or Programmes - Learners to be enrolled for the Online Courses or Programmes shall be acquainted with the requisite information or literacy skills for which there shall be a help-line for technical assistance throughout the semester.
- (5) Learner's Authentication Requirements - The Higher Educational Institutions shall exercise proper learner's authentication practice to ensure the academic integrity and the students, at the time of enrolment and all assessments for examinations, shall be required to provide the ADHAAR number or other government recognized identifier or Passport number, as applicable and verify their

information for authentication for which necessary infrastructure or software shall be provided to them by the Higher Educational Institutions.

- (6) Active Engagement of the Learners - Active engagement in online or virtual class shall be monitored via participation in asynchronous or synchronous discussions, assignment activity and Course or Programme involvement and the analytics of Learning Management System shall be used for ensuring the learner's participation at least for two hours every fortnight.
- (7) Technical Know-how or Skills Requirements for Course Mentors - The Higher Educational Institutions shall have defined criteria or guidelines for the technical know-how and skill requirements of the online Course Mentors, Director, Deputy Director (Online Course or Programme) and Course or Programme Coordinators to ascertain that all the resources are competent to deliver online education effectively from the student learning perspective and continuous up gradation of skills shall be essential for embracing newer methodologies and Information and communication technology tools for enhancing the development and delivery of the Online Course or Programmes in the long run.
- (8) Learners' Support Services and e-Learning Materials - Higher Educational Institutions shall provide adequate support for advising, counseling, mentoring and guidance so as to ensure the best possible learning experience for the learners and there shall be clear guidelines on academic integrity and netiquette (internet etiquette) expectations regarding lesson activities, group discussions, chats and plagiarism.
- (9) Each award of Degree or Diploma or Certificate shall be assigned an unique identification number and shall have AADHAR number or other government recognized identifier or Passport number, as applicable, along with other details of the student and the Course or Programme and shall be uploaded on the National Academic Depository.

8. Course or Programme Monitoring and renewal.—(1) The Commission shall periodically or at any time, based on the information received, review the performance of the Higher Educational Institutions offering Online Course or Programme through an expert Committee ensuring adherence to these Regulations and it may issue directions to comply with a set of requirements and quality guidelines for Online Course or Programme content, instructional design, technology, student assessment, and Course or Programme management.

- (2) There shall be renewal of the approval every second year to conduct the Course or Programme through an online process.
- (3) The Commission shall go through the performance of the institution, assess the outcomes of the Online Course or Programme already offered, and shall give approval for renewal through an online process, within the time period as laid down by the Commission from time to time.
- (4) In case, approval for renewal is not granted to a Higher Educational Institution for running an Online Course or Programme, the Institution shall not offer such Course or Programme for the forthcoming academic year:

Provided that the students already enrolled in the Course or Programme currently running shall be allowed to complete the Course or Programme in the laid down manner.

9. Quality Assurance.—(1) The Higher Educational Institutions offering a Course or Programme in online mode shall take the following steps, namely: -

- (i) establish Internal Quality Assurance Cell on lines of Centre for Internal Quality Assurance (CIQA) as specified in the University Grants Commission (Open and Distance Learning) Regulations, 2017 as amended from time to time.
 - (ii) take adequate measures for training and capacity building of its teaching and administrative staff at regular intervals;
 - iii) ensure that the quality of Course or Programme of study offered through online mode is maintained on a par with standards laid down by the Commission or the other appropriate statutory authority from time to time;
 - iv) ensure that the technical and instructional facilities with information resources for online delivery of Course or Programme are in compliance to the guidelines laid by the Commission from time to time, and are commensurate with the number of Course or Programme and enrolments thereto.
- (2) The Higher Educational Institution shall adhere to guidelines on quality assurance mechanism pertaining to Online Course or Programme issued by the Commission from time to time.

- 10. Powers of Inspection and Calling for Information.**—(1) The Commission shall periodically review the performance of the Higher Educational Institutions offering Online Course or Programme and for that purpose may direct the Institutions to provide such information as it may require for ensuring adherence to the Regulations by the Higher Educational Institution, and the Institutions shall be under obligation to provide such information in such time period as may be specified.
- (2) Where the Commission, either *suo-motu* or on the basis of information received by it, considers it necessary so to do, for reasons to be recorded in writing, it may examine through a body of experts or such other means as it may deem fit, to satisfy itself that all the mandatory requirements under these Regulations are being complied with by the Higher Educational Institution imparting Online Courses or Programmes and take appropriate action to get compliance enforced against the Higher Educational Institution in default.
- 11. Withdrawal of Recognition.**—(1) Where the Commission is, on its own motion or on any representation received from any person, or any information received from any other authority or a statutory body, or on the basis of any enquiry or inspection conducted by it, satisfied that a Higher Educational Institution has contravened any of the provisions of these Regulations or guidelines and orders made or issued there under, or has submitted or produced any information and documentary evidence which is found to be false at any stage or any condition which has not been complied with, it may take punitive measures as it may specify, for reasons to be recorded in writing:
- Provided that no such order against the Higher Educational Institution shall be passed unless a reasonable opportunity of hearing has been given to such Higher Educational Institution:
- Provided further that withdrawing the approval Order or refusing approval by the Commission shall come into force with immediate effect.
- (2) In the event of any Higher Educational Institution being found offering Course or Programme in Online mode without the approval of the Commission or in violation to any of the provisions of these Regulations and guidelines or orders made thereunder, the Commission may -
- Issue a Show Cause Notice to withdraw the recognition of the Higher Educational Institution for an academic session or withdraw the recognition of the Higher Educational Institution, maximum up to next five academic sessions or withdraw the recognition of the Higher Educational Institution permanently;
 - Notwithstanding anything contained in item (1), the Higher Educational Institution is found continuing the violations, a First Information Report may be lodged against the officials or management of the errant Higher Educational Institution to take action as per law;
 - withhold or debar from receiving grants from the Commission;
 - refer the matter to the State Government concerned or Central Government as the case may be to initiate appropriate actions in accordance with applicable laws;
 - take action as per the provisions of the Act or Rules or Regulations as applicable to the Higher Educational Institution; and
 - put on the public domain a list of such defaulters Higher Educational Institutions.
- (3) If a Higher Educational Institution offers any Course or Programme in Online mode after coming into force of the order withdrawing approval granted by the Commission, the Degree or Diploma or Certificate obtained pursuant to such Course or Programme shall not be treated as a valid qualifications.
- 12. Appeals and Removal of Difficulties.**—(1) Any Higher Educational Institution aggrieved by an order passed by the Commission under these Regulations may prefer an appeal to the Commission within a period of thirty days and no appeal after the expiry of the said period shall be accepted.
- (2) Every appeal made under sub-regulation (1) shall be accompanied by a copy of the order appealed against.
- (3) After due consideration, the Commission may confirm or reverse the order appealed against and the decision of the Commission shall be final and binding on the Higher Educational Institutions.
- (4) **Removal of Difficulties** : UGC reserves the right to remove difficulty / difficulties in the implementation of these Regulations in consultation with the Ministry of Human Resource Development, Government of India.

Prof. RAJNISH JAIN, Secy.

[ADVT.-III/4/Ext./129/18-19]

Annexure-1

Faculty and Staff Requirements for running Online Programmes**1. Centre / Cell for Online Courses or Programmes:**

- (1) The Higher Educational Institutions intending to offer the Online Courses or Programmes may create a separate Centre or Cell for effective coordination among its Departments or Schools of Studies offering the Course or Programme, Admission or Registration Unit, Examination Unit and Technology Support Unit.
- (2) The Centre or Cell shall maintain and administer, in collaboration with the technology support Unit of Higher Educational Institution, the Centralised Data Base of all the online Courses or Programmes.
- (3) The Centre or Cell shall have the following academic and administrative staff, namely,-
 - (a) **Director- (i)** who shall be responsible for the overall coordination of the Online Courses or Programmes offered by the Higher Educational Institution and shall have the Qualifications and Experience as specified for Professor under the relevant University Grants Commission regulations as amended from time to time.
 - (ii) He/she should have experience or training in the e-content or Online Courses or Programmes or MOOCs development and essentially having basic information and communication technology skills (word processing, spreadsheet and internet communication) as well as familiarity with Online Courses or Programmes, instructional design and Learning Management Systems (LMS).
 - (b) **Deputy Director (e-Learning & Technical).**—(i) who shall be responsible for the technical coordination including maintenance of Learning Management System (LMS), student data and overall instructional design of the Online Courses or Programmes.
 - (ii) He/she shall be responsible for providing technological support and facilitate the faculty in Department or Schools of Studies offering Online Courses or Programmes.
 - (iii) He/she shall have the Qualifications and Experience as specified for Professor or Associate Professor under the relevant University Grants Commission regulations as amended from time to time.
 - (iv) He/she shall be an e-learning expert with experience in technical coordination for modules development and Learning Management System (LMS) and if full-time expert is not available, part-time consultant may be taken on consultancy basis.
 - (c) **Assistant Director** – (i) Having qualifications and experience as specified for Assistant Professor under the relevant University Grants Commission regulations as amended from time to time, initially one, who shall coordinate with Departments or Schools of Studies offering Online Courses or Programmes.
 - (ii) He/she shall have basic information and communication technology skills (word processing, spreadsheet and internet communication).
 - (d) **Assistant Registrar or Section Officer** – (i) Having qualifications and experience as specified for Assistant Registrar or Section Officer under the relevant University Grants Commission regulations as amended from time to time, who shall assist the Director in all administrative work of the Centre or Cell.
 - (ii) Initially one Assistant Registrar or Section Officer may be appointed.
 - (iii) He/she shall have basic information and communication technology skills (word processing, spreadsheet and internet communication).

2. Academic Staff:

- (1) (i) The Departments or Schools of Studies shall be the academic home of the Online Courses or Programmes offered by Higher Educational Institutions.
- (ii) The involvement of the full-time permanent faculty of the Departments or Schools of Studies of the Higher Educational Institution in an Online Course or Programme shall be in the following capacities, namely:-
 - (a) **Programme Coordinator** (One per Programme) : (i) A full-time Faculty shall be the Programme Coordinator for each of the Online Course or Programme offered through online mode.

- (ii) The Course or Programme Coordinator shall be at the level of Professor or Associate Professor or Assistant Professor in the subject area of the concerned Programme.
- (iii) The Programme Coordinator shall be responsible for overall coordination of the development, delivery and assessments of the learners in an Online Programme.
- (b) Course Coordinator** (One per Course): (i) An Online Programme may have more than one Course. In such a case, one full-time Faculty shall be a Course Coordinator for each of the Courses of an Online Programme.
- (ii) The Course Coordinator shall be at the level of Professor or Associate Professor or Assistant Professor in the subject area of the concerned Course.
- (iii) He/she shall be responsible for all academic issues including coordination of academic support services to be provided to the students pertaining to the particular Course.
- (iv) The Course Coordinator shall be responsible for coordinating the development, delivery and assessments of the learners in the Course.
- (v) To assist the full-time faculty (Programme or Course Coordinator) in making the teaching-learning effective in an online environment,
- (c) Course Mentor** (One per batch of 250 learners): (i) He/she shall assist the Programme or Course Coordinator in providing academic support to learners and also in managing virtual teacher-learner interaction groups
- (ii) He/she shall have the relevant qualifications and experience as specified for Assistant Professor under the relevant University Grants Commission regulations as amended from time to time.
- (iii) The Course Mentor shall be paid appropriate honorarium as per the policy of the Commission from time to time.
- (d) Examiners:** The Higher Educational Institution shall appoint examiners for the assessment of the online learners in a Course from among the qualified faculty from within the Institution or from other Institution and they shall be paid appropriate honorarium as per norms of the Higher Educational Institution.

(2) Technical Team for Development of e-Content as Self-Learning e-Modules*:

- Technical Manager (Production)—minimum one
 - Technical Associate (Audio-Video recording and editing)— minimum one
 - Technical Assistant (Audio-Video recording)— minimum one
 - Technical Assistant (Audio-Video editing)—minimum one
- * This activity may be outsourced to the centres across the nation having requisite facilities. If a Higher Educational Institution have full-time technical team, the number of such professionals at various levels shall be specified by the Commission from time to time; these numbers are for the initial stage of e-content and self-learning e-module development and delivery.

3. For Delivery of Online Courses or Programmes:

- (a) Technical Manager (LMS and Data Management) - minimum one (per Centre)
- (b) Technical Assistant (LMS and Data Management) - minimum two

4. For Admission and Examination of Online Courses or Programmes:

- (a) Technical Manager (Admission, Examination and Result) - minimum one (per Centre)
- (b) Technical Assistant (Admission, Examination and Result) - minimum two



ज्ञान-विज्ञान विमुक्तये

प्रो. राजनीश जैन
सचिव**Prof. Rajnish Jain**
Secretary

सत्यमेव जयते

विश्वविद्यालय अनुदान आयोग
University Grants Commission(मानव संसाधन विकास मंत्रालय, भारत सरकार)
(Ministry of Human Resource Development, Govt. of India)बहादुरशाह ज़फ़र मार्ग, नई दिल्ली-110002
Bahadur Shah Zafar Marg, New Delhi-110002

Ph.: 011-23236288/23239337

Fax : 011-2323 8858

E-mail : secy.ugc@nic.in

F.No. 4-4/2017 (DEB-I)

20 November, 2018

Public Notice**Important information on Distance Education Programme
for the benefit of stakeholders**

As per the Hon'ble Supreme Court order dated 03.11.2017 in Civil Appeal Nos. 17869-17870/2017 & 17902-17905/2017, the Union of India (MHRD) was directed to constitute a three members Committee comprising of eminent persons who have held high positions in the field of education, investigation, administration or law at national level to examine the issues indicated in the Orders and also to suggest a road map for strengthening and setting up of oversight and regulatory mechanism in the relevant field of higher education and allied issues.

2. Accordingly, Ministry of Human Resource Development (MHRD) constituted a three members Committee on the above subject. The report of the Committee (Justice Reddy Committee) as well as its recommendations has been accepted by the Government fully.

3. All the stakeholders are hereby informed about the following actions/decisions/information based on the recommendations of the Justice Reddy Committee on Open and Distance Learning (ODL) Courses:

- i. The list of approved courses offered under ODL mode, institution – wise every year is available on UGC website at www.ugc.ac.in/deb.
- ii. No course, other than the one that finds place in the list referred to above, would be recognized and a candidate who studies unrecognized courses cannot claim any benefit.
- iii. Under no circumstances, retrospective or ex-post facto recognition to any course through ODL mode shall be granted by UGC.
- iv. Higher Educational Institutions (HEIs) are required to comply with all the provisions of the UGC (ODL) Regulations, 2017 and its amendments. If any deviation by the HEI is noticed, the same would entail not only withdrawal of permission/ recognition for such ODL courses but also for other courses offered by the institutions, on regular and conventional mode.
- v. The UGC (ODL) Regulations, 2017 are applicable to all HEIs as given at Clause (3) of sub-regulation (1) of Part – I of UGC (ODL) Regulations, 2017. It is further clarified that the private universities created under the State enactments shall be under obligation to strictly follow the requirements, stipulated by the UGC, issued from time to time including those under the UGC (ODL) Regulations, 2017.

(Secretary)

ANNEXURE 16

	<p>and established private corporate entities.</p> <p>Information sought pertains to last 10 years.</p> <p>I prefer a scanned copy on a diskette or via email on adv.arjunagarwal@gmail.com.</p>
Request document (if any)	document not provided
Status	REQUEST DISPOSED OF as on 08/03/2019
Date of Action	08/03/2019
	<p>Reply :- 1,2,4. The National University of Juridical Sciences, Kolkata (NUJS), West Bengal is not recognised by DEB-UGC or erstwhile DEC-IGNOU to offer programmes through distance education mode.</p> <p>The year-wise recognition status of all universities approved to offer education through distance mode along with the approved programmes is already in public domain and can be accessed at UGC website www.ugc.ac.in/deb.</p> <p>It is also informed that UGC (ODL) Regulations, 2017 and its amendments are applicable for imparting ODL education in India.</p>

Online RTI Request Form Details

RTI Request Details :-

RTI Request Registration number	UGCOM/R/2019/50506/1
Public Authority	University Grants Commission (UGC)

Personal Details of RTI Applicant:-

Name	Arjun Agarwal
Gender	Male
Address	Trilegal, , 311 B, DLF South Court mall, Saket
Pincode	110017
Country	India
State	Delhi
Status	Urban
Educational Status	Literate
Phone Number	+91-7011129806
Mobile Number	+91-7703040452
Email-ID	arjunagarwal999[at]gmail[dot]com

Request Details :-

Citizenship	Indian
Is the Requester Below Poverty Line ?	No

(Description of Information sought (upto 500 characters))

Description of Information Sought
<p>1. Please state whether the National University of Juridical Sciences, Kolkata (NUJS) ever applied for approval by UGC to offer distance education and online courses. Kindly state whether the approval given or denied. If the approval was denied, please provide the reasons for the denial of such approval.</p> <p>2. Please state whether NUJS can offer distance education and online courses without due UGC approval from Distance Education Bureau (DEB), UGC and previously Distance Education Council (DEC), IGNOU.</p> <p>3. Please state the actions that can be initiated against NUJS if it is found that the institution has been running distance and online education courses without due approvals from DEB, UGC.</p> <p>4. As on the date of receipt of this Application, please state whether NUJS has sought permission from DEB, UGC to offer the courses mentioned below under distance mode. Kindly state whether the courses were approved and the validity period of the approvals (from date of approval to expiry of such approval, and any renewals thereof).</p> <p>a) MA in Business Laws with specialization in Intellectual Property & Cyber Law</p> <p>b) MA in Business Laws with specialization in M&A, Investment & Institutional Finance</p> <p>c) Diploma in Entrepreneurship Administration & Business Laws</p> <p>d) Diploma in Competition Law & Policy</p> <p>e) PG Diploma in Commercial Laws</p> <p>f) PG Diploma in Business Management and Law</p> <p>g) PG Diploma in Public Healthcare and Medical Laws</p> <p>h) PG Diploma in Intellectual Property Rights</p>

- i) PG Diploma in Nuclear Law & Technology
- j) PG Diploma in Air & Space Law
- k) PG Diploma in Consumer Law & Practice
- l) PG Diploma in Child Rights & Protection
- m) PG Diploma in Human Rights
- n) PG Diploma in International Relations, International Law & Strategic Studies
- o) PG Diploma in Corporate, Commercial & Industrial Laws
- p) Certificate in Intellectual Property Law
- q) Certificate in Business Laws
- r) Certificate in Sexual Harassment Prevention & Workplace Diversity
- s) Certificate in Investment Law & Institutional Finance
- t) Certificate in Corporate Social Responsibility
- u) Certificate in Commercial Contract Drafting & Negotiation
- v) Certificate in Child Rights & Protection
- w) Certificate in Entertainment & Media Laws
- x) Certificate in Tax Laws
- y) Certificate in Consumer Law & Practice
- z) Certificate in Real Estate, Land Laws, Benami Transactions and Debt Recovery

5. Please state whether the DEB, UGC provides exemption or waiver to distance education and online courses that were initially funded by UGC (PG Diploma in Human Rights), Department of Consumer Affairs, Govt. of West Bengal (Certificate in Consumer Law & Practice), UNICEF (PG Diploma and Certificate in Child Rights and Protection), or offered exclusively to the sponsored employees of Public Sector Undertakings and established private corporate entities.

Information sought pertains to last 10 years.

I prefer a scanned copy on a diskette or via email on adv.arjunagarwal@gmail.com.

Concerned CPIO	Smita Bidhani (DEB)
Supporting document <i>(only pdf upto 1 MB)</i>	Supporting document not provided

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**ANNEXURE 18**

Arjun Agarwal <arjunagarwal999@gmail.com>

Fwd: Fw: Atindra Sarkar _MA in Business Law _

Arjun Agarwal <arjunagarwal999@gmail.com>

Wed, May 9, 2018 at 11:22 AM

To: Arjun <arjunagarwal999@gmail.com>

----- Forwarded message -----

From: anirban chakraborty <anir_chak@yahoo.com>**To:** Dr Sandeepa Bhat B. <sandeep@nujs.edu>; Animazum <animazum@hotmail.com>; Vice Chancellor NUJS <vc@nujs.edu>; Wbnujs Kolkata <vcnujs@gmail.com>; faculty@nujs.edu <faculty@nujs.edu>**Sent:** Sunday, 6 August, 2017, 12:38:35 AM IST**Subject:** Fw: Atindra Sarkar _MA in Business Law _

Dear VC Sir & Colleagues,

A person whom I have taught as part of L& T NUJS PGDBL course recently wrote to me with a host of concerns and grave dissatisfaction on the IP Leaders MBL Program he is currently enrolled. His e-mail and other documents are attached in the e-mail above. I believe the concerns are serious and requires immediate attention. So I am forwarding the same to all of you, especially to the members of the committee constituted for this purpose.

I have mentioned in the past that some profit oriented entrepreneurs are exploiting NUJS brand name and the agreements require to be immediately stopped. Now I am attaching public queries. If the matter is ignored further, I am sure that it is not far, when NUJS will be dragged to Court for this. In public interest and for the seek of NUJS brand reputation it is my appeal please act on this matter with some urgency or the University will suffer permanent damage of its reputation.

Regards

Anirban Chakraborty

Assistant Professor of Law

W.B. National University of Juridical Sciences ,
Ambedkar Bhavan, 12 LB BLOCK, Sector III,
Salt Lake City, Kolkakta, West Bengal.

Pin Code: Kolkata- 700098

Phone Number

Off: 91-033-2330077/0534(extn:1180)

Res: 91-033-24244536

Mobile: 91-092261-21885

E-Mail

anir_chak@yahoo.comOn Sunday, 6 August 2017 12:03 AM, ATINDRA SARKAR <atindrasarkar12@yahoo.co.in> wrote:

Dear Sir,

I am writing this mail with some queries which are really important for me take the decision whether I should continue to do the course named MA in Business Law from NUJS or not .

Before table down my issue, I want to give a brief about myself & illustrate you the reason behind my enrollment for this MBL, NUJS course .

First ,I am a HR professional having around 10 years of experience , specially in projects /corporate HR in various companies like McNally Bharat, L&T and now working in one of the most reputed company based out of Kolkata . My job role requires extensive knowledge of HR operations and statutory compliances . My basic back ground in B.Tech -Engineering, Masters in HR Management (IISWBM). I have also completed PGDBL from NUJS, Kolkata in 2014. I do not have any LLB or LLM degree .

Second, having been into HR , it is indispensable for me to have in depth knowledge about labour laws and statutory compliance to monitor the same for project sites and offices .The required knowledge and skill help me to comply the statutory requirements and develop a better culture of non compliant to become a corporate citizen for my organisation . It is my honest confession that my objective is not to become a lawyer , but to know jurisprudence behind the enactment of labour laws & statutory requirements to understand and apply better in the field .

This two above points were discussed thoroughly over phone with MBL coordinators and explained them about my requirement but there are certain gaps which I found in this journey .

1. My registration for this programme : is it a university registration (Find S/N No. In attached form) . Or it has been given by Ipleaders only ? Will NUJS recognise this course in future for any kind of background verification, if any such done by Employer ? Will I get alumni status , if I complete the course .

2. Affiliation : is this course affiliated by UGC ? Any chance of getting affiliation from UGC ?

3. Assignments : there are 3 assignments given to write on certain subjects where we can take the help external sources but the plagiarism level must not exceed 30% and it would be determined by NUJS . First observation is that these topics are haphazardly given and secondly how should we check our plagiarism level so that it can match with university norms as it is mentioned . As a result, I have submitted 3 assignments .and after waiting around 3 months, one assignment got only checked, rest 2 were not checked even , and reasons are not illustrated properly . Only, it has been communicated that they have not received the same wherein all acknowledge copies are received by me.. It was not even discussed properly how to make it better .

4. Materials : Mostly theory, tough to understand, at least for me as I am not from legal background . Probably , it is a common course curricula but except materials, nothing is there . Last time, when I did PGDBL from NUJS, I received a complete support through virtual classes, doubt clearing support , and also interaction with NUJS faculty etc .It is not there till now. I also feel that the approach to the subject is required to be changed . It should be based on case study and not full of theory , otherwise it is becoming time consuming to mug up everything . My learning should be applicable to my job and enhance my skill to monitor the same for my organization . Therefore, study material should be prepared by keeping in mind about the usability of recipient. In fact, hardcopy materials which are provided, is minuscule compare to the material available in soft version . It is not comprehensive also .

5. Mentorship : It has been stated to me that one mentor will be attached with each of us for support and development . It is not done till now. Will this mentor from NUJS or from Ipleaders club ?

6. Course Fee : The course fee which is being paid by us, has been accepted by NUJS or Ipleaders .

I am in doubt whether I have made any mistake by enrolling my name in this course or not .

I have enrolled only because this course is associated with NUJS . I clearly want to know that what is the association level of NUJS and NUJS faculties with this programme ? In fact I am thinking to quit this course because it is not giving any additional benefit to me and also I have paid 45K for this course .

I want to know from you about my above mentioned points and require more clarity on this . Kindly let me know, would I get any refund ,if I quit the course now ?

Thanks & Regards,

2 attachments



doc04829120170801152206.pdf
1236K



MOJO6c16000J54415123.pdf
25K

(S)



[HOME \(/\)](#)
[INDIA \(/INDIA\)](#)
[WORLD \(/WORLD\)](#)
[BUSINESS \(/BUSINESS\)](#)
[SPORTS \(/SPORTS\)](#)
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Islands of excellence or despair?

Arjun Agarwal | Kolkata | November 9, 2017 4:07 am

[illegible]

Representational image (Photo: Getty Images)

National Law Universities (NLUs) were set up with the intent of standardising and improving legal education in India. They were meant to provide all-round education and promote academic research in the field of law. While NLUs have made some inroads in improving legal education in the country, the full potential of these 'islands of excellence' is yet to be unlocked. NLUs are plagued with administrative problems, which threaten

institutional prospects and cause unnecessary tussles with students.

NLUs today are inefficiently administrated institutions that fail to provide basic facilities such as decent faculty, proper classrooms, proper residential areas, a functional library, hygienic environment and other such necessities. For instance, NUALS (Kochi) failed to provide students with clean drinking water which has led to a jaundice outbreak on campus.

Continued lack of these facilities and false assurances by administrations inevitably culminate in student protests such as the ones at HNLU (Raipur), DSNLU (Vizag), NLUJAA (Assam) and RMLNLU (Lucknow) to name a few. In all such protests, administrations have tended to respond with callousness and arrogance by labelling the students as 'undisciplined' and 'disorderedly', trivialising the protests. This is evident from the student protest at NUSRL (Ranchi) in April earlier this year where students demanded basic rights like hygienic food, basic transparency, proper classes, coded answer scripts, proper security and a rodent-free campus.

Rather than addressing these legitimate concerns, the Vice Chancellor dismissed the protest as one for holidays and threatened disciplinary action against students. While the students had suspended the protest then on assurance of favourable consideration by the Vice Chancellor in charge, his subsequent inaction has now forced the students to resume their peaceful protest.

In my opinion, as someone who has been a part of the student administration in an NLU for his entire student life, there exists a common systematic problem with the administrative setup. NLUs have highly centralised administrative systems which lack basic transparency, especially in financial matters, and which accord little importance to collective aspirations of the students, research scholars and faculty.

Centralisation of Power

Administration of an NLU is supposed to be overseen by its Executive Council (EC). This EC is supposed to act as an accountability mechanism over the actions of the Vice-Chancellor and Registrar, both of whom head the administration. Most ECs consist of judges, ministers, bureaucrats and academicians. Understandably, these esteemed individuals are only able to devote limited time to the university. Typically the EC meets for a few hours twice a year.

In those few hours, the EC has to, amongst other responsibilities, approve of all major decisions pertaining to employment, academics, finance and infrastructural development. Close and proper scrutiny of these decisions or of the conduct of Vice-Chancellors and Registrars therefore becomes a pragmatic impossibility. This leads to higher centralisation of powers in the hands of the Vice-Chancellor and the Registrar.

Financial Matters

As of today, the average yearly fees of NLUs is more than Rs. 2 lakhs per annum and is often subjected to multiple upward revisions. If the administrators are to be believed, consistent fee-hikes are "necessary" to make ends meet. They routinely cite insufficient state support as reasons to deny students requests for basic facilities.

Further scrutiny of such claims, undertaken by student bodies, have often revealed instances of serious financial irregularities such as the one experienced in NUJS, Kolkata, where the student body exposed a financial scam three years ago which led to the dismissal of a senior administrative officer. This shows a systematic lack of financial accountability of the administration.

Role of Student Bodies

Safeguards against these administrative inefficiencies have completely failed. Vice-Chancellors have routinely ignored or bypassed even legislative safeguards, such as statutorily-mandated Review Commissions, meant to bring about accountability and transparency. In GNLU (Gandhinagar), the Vice Chancellor reportedly attempted to bury an adverse Review Commission report.

Despite his actions and criticism by the Review Commission's Report, he was granted an extension a week after the report finally surfaced on the internet. Several others have actively prevented such Review in violation of the statutorily prescribed time limit.

There are even those who have prevented the formation of a Review Commission for months even after the college Chancellor, the Chief Justice of India, signed off on it. The abject collapse of administrative checks and balances has left it upon the student bodies to undertake a higher burden and fight for basic constitutional rights such as health and safety before issues like faculty, library or classroom can even be addressed.

As long as these administrations can manage to escape all other mechanisms, some direct intervention by the student body becomes a must. Unfortunately, the lack of organised student bodies in most of these institutions has resulted in denial of basic rights to their students.

Role of Central Government

The change must also come exogenously. The Central Government must take cognisance of the abysmal state of affairs at most of these Universities and attempt to correct these systematic problems by directly engaging with the students. Being comparable to IITs, NITs, IIITs and IIMs (added earlier this year) in every respect, granting NLUs the status of 'Institutes of National Importance' (INI) must also be considered especially to tackle the perpetual lack of funds.

To that end, Hon'ble Prof. (Dr.) Sugata Bose had introduced the National Law Universities of India Bill, 2016 in the Lok Sabha in March this year, which, among other things, proposes INI status and CAG auditing for NLUs. Subsequently, elected student bodies at NLSIU, NALSAR and NUJS advocated for the same by way of a joint statement.

Administrations of NLUs have subjected students to increasingly stringent rules and regulations while simultaneously reducing facilities available to them. It appears that funds are unavailable for trivial demands such as clean washrooms while expensive cameras are installed across campus encroaching on our privacy.

Prof. N R Madhava Menon established these institutes to improve legal education and nurture a generation of "social engineers. Yet, continuous fights for basic survival and a right to decent education may leave us too drained and disillusioned to be of any use to society.

(The writer is the student body President at NUJS, Kolkata for terms 2016-17 and 2017-18)



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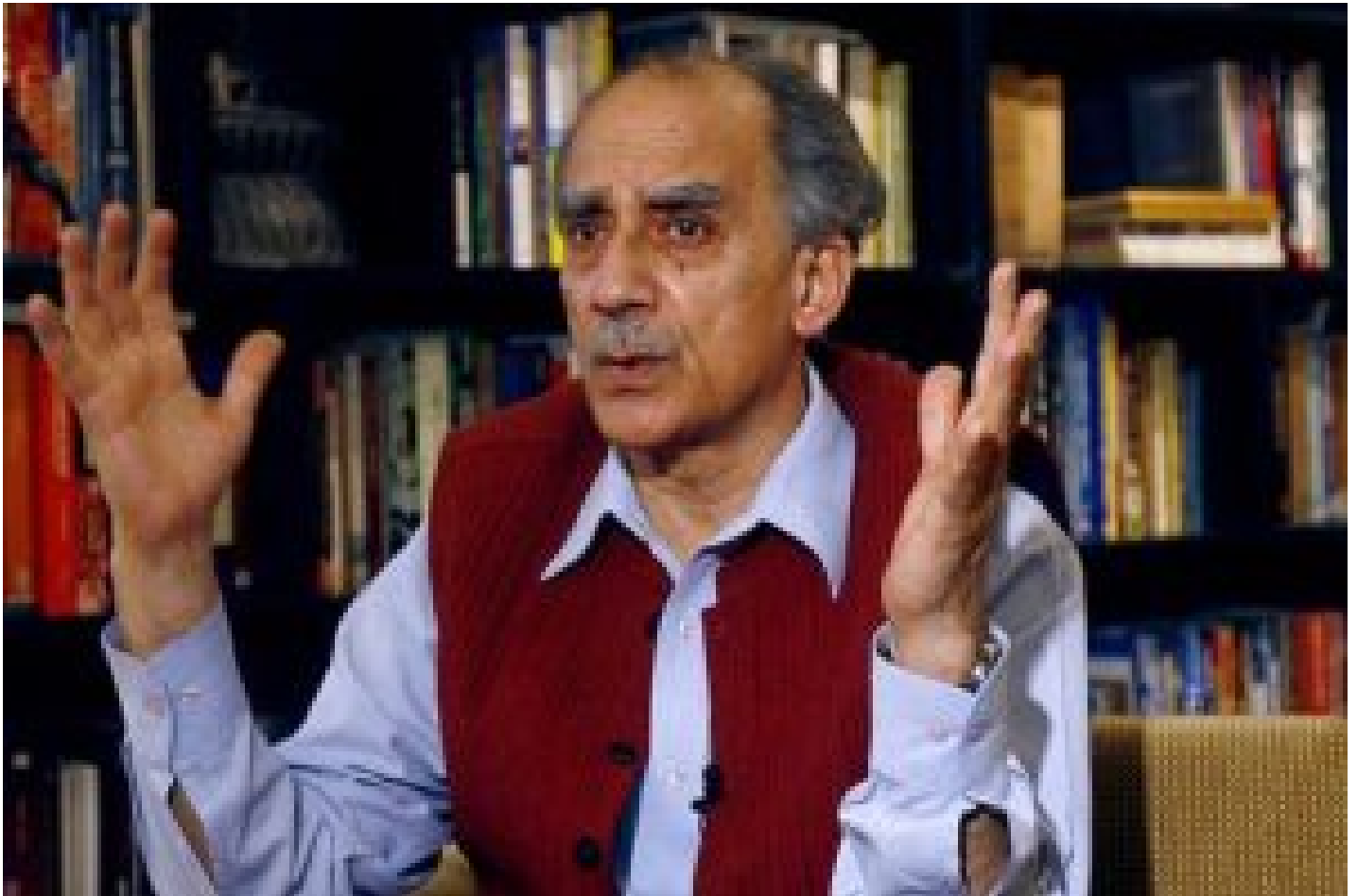
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APPLICATION UNDER SECTION 6 OF RIGHT TO INFORMATION ACT, 2005

Mr. Pritwish Saha

Public Information Officer

WB National University of Juridical Sciences

Dr. Ambedkar Bhavan

12, LB Block, Sector III, Salt Lake City

Kolkata – 700098.

- I. **Name of the Applicant:** Arjun Agarwal
- II. **Address of Applicant:** Trilegal, 311B DLF South Court mall, Saket, New Delhi – 110017.
- III. **Particulars of the information sought:**

A. Details of information required:

1. As on date of this Application, please state whether the WB National University of Juridical Sciences, Kolkata (**WBNUJS**) has ever applied for approval from Distance Education Bureau (**DEB**), University Grants Commission's (**UGC**) to offer distance education and online courses. Kindly provide a copy of the said application(s). Please state whether and when was the approval given or denied. If the approval was given, please provide a copy of the approval letter. If the approval was denied, please provide the reasons stated by the DEB, UGC for the denial of such approval.
2. As on date of this Application, please state whether WBNUJS has ever applied for approval from Distance Education Council (**DEC**), Indira Gandhi National Open University (**IGNOU**) to offer distance education and online courses. Kindly provide a copy of the said application(s). Please state whether and when the approval was given or denied. If the approval was given, please provide a copy of the approval letter. If the approval was denied, please provide the reasons stated by the DEC, IGNOU for the denial of such approval.
3. As on the date of receipt of this Application, please state whether WBNUJS ever sought permission from DEB, UGC to offer the courses mentioned below under distance and/or online mode. Kindly state whether the courses were approved and the validity period of the approvals (from date of approval(s) to the expiry of such approval(s), and any renewal(s) thereof).

➤ MA in Business Laws with specialization in Intellectual Property & Cyber Law

- MA in Business Laws with specialization in M&A, Investment & Institutional Finance
- Diploma in Entrepreneurship Administration & Business Laws
- Diploma in Competition Law & Policy
- PG Diploma in Commercial Laws
- PG Diploma in Business Management and Law
- PG Diploma in Public Healthcare and Medical Laws
- PG Diploma in Intellectual Property Rights
- PG Diploma in Nuclear Law & Technology
- PG Diploma in Air & Space Law
- PG Diploma in Consumer Law & Practice
- PG Diploma in Child Rights & Protection
- PG Diploma in Human Rights
- PG Diploma in International Relations, International Law & Strategic Studies
- PG Diploma in Corporate, Commercial & Industrial Laws
- Certificate in Intellectual Property Law
- Certificate in Business Laws
- Certificate in Sexual Harassment Prevention & Workplace Diversity
- Certificate in Investment Law & Institutional Finance
- Certificate in Corporate Social Responsibility
- Certificate in Commercial Contract Drafting & Negotiation
- Certificate in Child Rights & Protection
- Certificate in Entertainment & Media Laws
- Certificate in Tax Laws
- Certificate in Consumer Law & Practice
- Certificate in Real Estate, Land Laws, Benami Transactions and Debt Recovery

4. Please state whether the DEB, UGC has provided any exemption or waiver to WBNUJS for running distance education and online courses that were initially funded by UGC (PG Diploma in Human Rights); Department of Consumer Affairs, Govt. of West Bengal (Certificate in Consumer Law & Practice); UNICEF (PG Diploma and Certificate in Child Rights and Protection); or offered exclusively to the sponsored employees of Public Sector Undertakings and established private corporate entities. If yes, please provide a copy of the exemption or waiver letter from DEB, UGC or DEC, IGNOU.
5. Kindly provide details on the establishment and membership (including all reconstitutions thereof) of the School of Distance and Mass Education (**SDME**). Kindly provide details on the establishment and membership (including all reconstitutions thereof) of SDME's predecessor bodies in WBNUJS. Please provide copies of relevant office orders. Please provide details on the present status and functioning of the SDME, as on the date of this Application.
6. Please provide details, including names, of the private, for-profit and non-profit entities that signed Agreements or Memorandum of Understanding with WBNUJS to offer distance education and/or online courses.

B. The period to which the information relates: Last nineteen years.

C. Description of the information sought: As above.

D. Whether information is required by post or in person: By post/ email.

Further:

- I confirm that I am a resident citizen of India.
- To the best of my knowledge and understanding, the information sought does not fall within the restrictions contained in Sections 8 and 9 of the Right to Information Act, 2005, and it pertains to your office.
- If certain information (or a part thereof) sought herein under any of the above queries is not available in a common document, kindly provide all such separate documents providing the requisite information. In any case, kindly respond to the above queries as far as possible and practicable.
- Please be informed that I would prefer a scanned copy of the entirety of the information sought herein, or a part thereof on a diskette (Rule 4(d), Right to Information Rules, 2012)/ or via email on arjunag@nujs.edu.

- However, if all or a part of the documents sought herein can only be made available in hard copy, I request that the cost of photocopying, if any, be informed immediately.

A postal order of Rs. 10/- has been attached herewith. Kindly oblige.

Place: New Delhi

Date: 25.01.2019



(Arjun Agarwal)
Signature of the Applicant

अधपत्रा COUNTERFOIL

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To be detached and kept
by the Sender.

पोस्टल आर्डर

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POSTAL ORDER

किसे अदा करना

To whom payable _____

किस डाकघर में

At what Office _____

क्या इसे क्रास किया है

Whether crossed _____

भेजने की तारीख

Date sent _____

44F 085247

भारतीय पोस्टल आर्डर
INDIAN POSTAL ORDER

डाक महानिदेशक DIRECTOR GENERAL OF POSTS.

PAY TO THE ACCOUNTS OFFICER,
WBNUJS

दस रुपए की रकम THE SUM OF RUPEES TEN ONLY

₹ 10

AT THE POST OFFICE AT
KOLKATA

के डाकघर में अदा करें।

डाक टिकट
POSTAGE STAMPS

पोस्टमैस्टर
POSTMASTER

इस लाइन के नीचे मत लिखिए DO NOT WRITE BELOW THIS LINE

कमीशन COMMISSION रुपया 1 RUPEE

प्रेषक अपना नाम और पता यहां लिख दे।
SENDER MAY FILL IN HIS NAME AND ADDRESS HERE

44F 085247



The WB National University of Juridical Sciences

“Dr. Ambedkar Bhavan” 12, LB Block, Sector III, Salt Lake City, Kolkata - 700098

Phone : (033) 2335 7397 / 0510 / 2806 / 2809 / 2811, 2569 4700 to 30 • Fax : (033) 2335 7422 / 0511

E-mail : info@nujs.edu • Gram : JURVARSITY • Website : www.nujs.edu & www.nujs.ac.in

Ref: NUJS/ADMIN/RTI/2019/223

19 February 2019

To
Mr. Arjun Agarwal
New Delhi

Re: Provision of information under Right to Information Act 2005

Sir,

Mr. Arjun Agarwal,

This is in reference to your application dated 25/01/2019 seeking certain information under provision of RTI Act, 2005. The following are the information sought for in regard to the Distance Education in the University :

In reply to point no. 1,2,3 – Since establishment of ‘The School of Distance & Mass Education’ (SDME) vide Office Order No. 761/Reg/17 dated 24/03/2018 (Annexure 1), the SDME has not applied to Distance Education Bureau (DEB), University Grants’ Commission (UGC), Indira Gandhi National Open University (IGNOU).

Point No. 4 – Not applicable to us in respect of Director, SDME

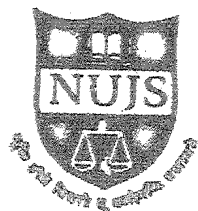
Point No. 5 – Please find enclosed the Office Order No. 761/Reg/17 dated 24/03/2018 is attached herewith.

Point No. 6 – The available MOUs of DEABL Courses and Online Certificate courses is attached herewith.

Yours sincerely,


Public Information Officer

WBNUJS



The W.B. National University of Juridical Sciences
 'Dr. Ambedkar Bhavan' 12 LB Block, Sector III, Salt Lake, Kolkata - 700098
 Phone : 2335-0534/7379/0765 • Fax : 2335-7422/0511

ANNEXURE 22

Dr. R. Parameswaran
 Registrar (Acting)

Date: 26th November, 2014

To,
 The Chairman,
 Distance Education Bureau,
 University Grants Commission
 New Delhi

Dear Sir,

Subject: Permission for recognition of Distance Education Centre of the University

West Bengal National University of Juridical Sciences (NUJS), Kolkata is a premier national law university which is exclusively dedicated to legal research and training, established pursuant to an act of the West Bengal legislature, i.e. the West Bengal National University of Juridical Sciences Act, 1999. It was founded by legal education visionary Dr. Madhava Menon and has emerged as a top destination for legal education in India in a very short span of its existence. Its supremacy in legal research, academics and training is acclaimed and well recognized in Indian legal circles.

NUJS has been conducting distance learning courses since 2012, keeping in mind the current needs of the economic and social environment and its mandate. It has also established a distance education cell as per UGC's mandate and now proposes to opt for UGC recognition as a distance education university.

As per the requirement of the UGC guidelines, we are herewith enclosing details of the various courses as approved by the relevant governing bodies of the University for your Consideration.

Thanking you,

Yours faithfully,


 Dr. R. Parameswaran

Registrar (Acting)

The West Bengal National University of Juridical Sciences

Minutes of the 63rd Meeting of the Executive Council of WBNUJS held on 22nd December 2018.

Sl. No.	Agenda Item	Resolution	Remarks
1.	Confirmation of the Minutes of the 62 nd Meeting of the Executive Council held on 29 th September, 2018	<p>The Minutes of the 62nd Meeting of the Executive Council held on 29th September, 2018 for confirmation.</p> <p><u>Resolution</u></p> <p>The Minutes of the 62nd Meeting of the Executive Council held on 29th September, 2018 were confirmed.</p>	
2.	Ratification of the Minutes of the 33 rd Meeting of the Academic Council	<p>Ratification of the Minutes of the 33rd Meeting of the Academic Council.</p> <p><u>Resolution</u></p> <p>The minutes of the 33rd meeting of the Academic Council held on 30th of November, 2018 is ratified with the modification that in regard to agenda item no. 6 the issue of seniority of Professors should be taken into consideration in the Service Rule of the University presently being drafted by Mr. Soumya Mazumder and be placed in the concerned committees thereafter.</p>	
3.	Ratification of the 107 th Meeting of the Finance Committee held on 08/12/2018	<p>Ratification of the 107th Meeting of the Finance Committee held on 08/12/2018</p> <p><u>Resolution</u></p> <p>The minutes of the 107th Finance Committee meeting is approved with the modification that the benefits of the 7th CPC and UGC of the employees (administrative staff, teachers and officers of the University) be released from 01/12/2018 at the earliest.</p>	

	<p>Ratification of the Minutes of the 102nd, 103rd, 104th, 105th and 106th Meeting of the Finance Committee – Matter regarding thereof.</p>	<p>The matter arises out of the 62nd Meeting of the Executive Council held on 29/09/2018 where the Executive Council has ratified with the modification that the issue of disparity has been placed before the Finance Department of the Govt. of West Bengal. Awaiting reply from the Finance Department, the Judicial Department will take no decision in the matter for the present.</p> <p>The matter has been replied by the Judicial Department, Government of West Bengal with the views of the Finance Department, Government of West Bengal where it has been stated inter alia that “The University [WBNUJS] being autonomous institution is entitled to fix pay scale of the employees [DEOs] taking into consideration the nature of work that has been allotted to and discharged by them.</p> <p>This being the position, I am directed to state that nomenclature of a post is not a determining factor in the matter of fixation of pay of an employee but the nature of work entrusted by the employer is the main criteria for determining his pay.” And therefore based on the stated facts, the question of anomalies stated there in do not arise.</p> <p>The matter was submitted for kind perusal, information and ratification.</p> <p><u>Resolution</u></p> <p>The minutes of the 102nd, 103rd, 104th, 105th and 106th Meeting of the Finance Committee are ratified.</p>						
5.	<p>Letters & Notices concerning Online Courses and related Court Cases & NHRC</p>	<p>The University is in receipt of some letters and notices and related Court cases in regard the cessation of the Online Courses which are self explanatory.</p> <p>The following are placed with Annexures :</p> <table><tr><th>Sl. No.</th><th>Name of the Candidate</th></tr><tr><td>1</td><td>Ms. Khyati Khemka</td></tr><tr><td>2</td><td>Ms. Aachal Agarwal</td></tr></table>	Sl. No.	Name of the Candidate	1	Ms. Khyati Khemka	2	Ms. Aachal Agarwal
Sl. No.	Name of the Candidate							
1	Ms. Khyati Khemka							
2	Ms. Aachal Agarwal							

		<table><tr><td>3</td><td>Mr. Pradipta Nath</td></tr><tr><td>4</td><td>Mr. Abhishek Panda & Others</td></tr></table>	3	Mr. Pradipta Nath	4	Mr. Abhishek Panda & Others	
3	Mr. Pradipta Nath						
4	Mr. Abhishek Panda & Others						
		<p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>This matter is deferred subject to further orders passed by the High Court.</p>					
6.	Reply of Dr. Anirban Mazumder, Coordinator SDME & Professor of Law, WBNUJS	<p>Based on the decision of the last meeting of the Executive Council held on 29/09/2018, the Registrar of the University on her letter dated 01/10/2018 issued a letter to <u>Dr. Anirban Mazumder, Coordinator SDME & Professor of Law, WBNUJS,</u> directing to stop all online courses</p> <p>Dr. Mazumder subsequently have put in a letter 03/10/2018 stating that he will be unable to undertake this responsibility due to personal limitation.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The request of Dr. Anirban Mazumder to relieve him from communicating with the students of online courses cannot be acceded to. However, he will take the assistance of the course coordinators namely Ms. Vaneeta Patnaik and Ms. Sujata Roy who would coordinate with him in providing the necessary information and take appropriate steps.</p>					
7.	Adoption of the Child Education Allowance (CEA), Leave Travel Concession and Mobile expenses	<p>WBNUJS being one of the premier Law School of the country and being the University adopted the Central Government Pay Scales and DA for its employees, they have been deprived of some basic legal entitlements available to the employees of the Central Government.</p> <p>The three basic entitlements of the employees under Central Government Rules which they do not presently receive are :</p> <p>1. Children Education Allowance (CEA) – Rs. 2250/- and hostel subsidy of Rs. 6750/- [As per Circular No. A-27012/02/2017-</p>					

Estt(AL) dated 16/08/2017]. The University staff members have also submitted a joint petition to the University authorities for such adoption from the year 2006.

2. Travelling Allowance (TA) & Leave Travel Concession (LTC) – as per Government circular [As per Circular No. 19030/1/2017-E-IV dated 13/07/2017 revised earlier expenditure O.M. being No. 19030/3/2008-E-IV dated 23/9/2008]

3. Telephone / Mobile Connection allowance – as per Government Circular No. 7(14)/C&V/2006 dated 14/11/2006 and O.M. No. 7(14)C&V/2006 dated 10/4/2017.

The University on interaction with Indian Law Institute (ILI) where the Chief Justice of India is also the Chancellor have already implemented such scheme long back. In addition to this they also provide newspaper allowance to employees.

Based on the above the University prepared a proposed budget for the above three items which are as follows :

Sl. No.	Type of Allowance	Expected Expenditure (Rs.)	
1.	Children Education allowance @2250/- per child per month for approx. 80 employees	1,80,000 p.m. (approx)	21,60,000 p.a. (approx)
2	LTC (maximum @ 30000/- per employee) once in every four years (for approx 80 employees) considering 20 employees per year and the TA can be considered after the implementation of the 7 th CPC.		6,00,000 p.a. (approx)
3	HTC (maximum @ 20000/- per employee) once in every two years (for approx 30 employees) considering 15 employees per year		3,00,000 p.a. (approx)

4	Telephone / Mobile	3,50,400 p.a. (approx)
TOTAL		34,10,000/- p.a.

The matter has been placed before the 107th Meeting of the Finance Committee held on 08/12/2018 and the Finance Committee directed /recommended that "the matter requires to be approved by the Executive Council and once the Executive Council approves, this agenda item may be placed before the Finance Committee".

Accordingly the matter is placed before the Executive Council for direction.

Resolution

The matter was considered and disallowed.

- | | |
|---|--|
| <p>8. Policy regarding enhancement of pay of the contractual staff, ad-hoc staff and casual staff</p> | <p>The matter arises out of the 107th Meeting of the Finance Committee held on 8/12/2018 where the Finance Committee while discussing the matter regarding the prayer of the gardeners for their enhancement of pay or regularization of their posts who are right now on consolidated pay have directed that :-</p> <p>"It appears that there is no laid down policy in regard to the enhancement of pay of the contractual staff, ad-hoc staff and casual staff. It is found that they claim enhancement of salary very frequently in the absence of any policy. It is resolved that the matter be placed before the Executive Council for a consideration in this regard. Till then the present agenda item be deferred".</p> <p>Therefore the matter was placed before the Executive Council for direction.</p> |
|---|--|

Resolution

The matter is deferred for the next meeting with a direction upon the Accounts Officer to provide a chart disclosing the names of the contractual, ad-hoc and casual staff/their posts and the nature of the post, the amount of pay and the duration of their contractual service and the minimum pay scale for the respective posts for the regular employees.

9. Status of the Centre for Regulatory Studies, Governance and Public Policy (CRSGPP) & Renewal

The Finance Committee in its 106th Meeting dated 22/09/2018 decided inter alia:

“It is resolved that the Judicial Department will be approached by the Registrar (Acting) for nominating an Officer of the Department to act as the Head of the Center till such time a regular Head is appointed. He shall look into all the administrative functions and finance aspects as well.”

Accordingly, the Registrar (Acting) communicated this decision to the Judicial Department through letters dated 04/10/2018 and 27.11.2018 requesting nomination of an Officer of the Department to act as the Head of the Center. The Registrar (Acting) also discussed this matter in person with the Secretary of the Judicial Department on 28.11.2018. The Utilization Certificate for the F.Y. 2017-2018 (January-March, 2018) has been submitted to the Judicial Department on 26/11/2018.

Without a Head of the Center, the regular functioning is affected for the Centre. Recruitment needs to be completed to the vacant posts of Research Fellow and Coordinator- 1 Position, Research Fellow- 1 Position and Research Assistants- 6 Positions.

The tenure of employment of the two Research Associates will come to an end on **02/01/2019 (Dr. Shuvro Prosun Sarker)** and **31/01/2019 (Mr. Rajat Banerjee)** respectively. They have applied for extension of three years (Mr. Rajat Banerjee) & one year (Mr. Shuvro Prasun Sarker) tenure through individual applications dated 12/11/2018.

Assistant Registrar (Administration) has also put in a detailed

		<p>note on renewal of the Research Associates of CRSGPP.</p> <p>The matter was placed before the 107th Meeting of the Finance Committee held on 08/12/2018 and the Finance Committee directed that :-</p> <p>“The matter may be placed before the Executive Council for filling up the post of Research Fellow and Coordinator (called as “Head”) of the CRSGPP on regular basis”</p> <p>Now the matter was placed before the Executive Council for directions :-</p> <p>i) for filling up the post of Research Fellow and Coordinator (called as “Head”) of the CRSGPP on regular basis and filling up of other vacant posts as mentioned above.</p> <p>ii) extension of the research associates of the Centre.</p> <p><u>Resolution</u></p> <p>Steps be taken by the Registrar (Acting) to publish advertisement for filling up of the post of Head of CRSGPP on regular basis. The advertisement be published within three weeks. In the meantime the Vice Chancellor in consultation with the Judicial Department will take necessary steps to engage a retired academician for engagement till appointment of a regular Head of CRSGPP. The Registrar (Acting) would also publish advertisement for filling up the other existing vacant posts and the posts which are likely to fall vacant shortly.</p> <p>The services of Dr. Shuvro Prasun Sarkar and Mr. Rajat Banerjee be extended for a further period of one year as Research Associates from 02/01/2019 and 31/01/2019 respectively.</p>
10.	Reporting of the Committee about anomalies 2017 Recruitment	<p>The matter arises out of the 62nd Meeting of the Executive Council held on 29/09/2018 where the University has received a letter addressed to the Vice Chancellor, WBNUJS regarding alleged irregularities in the appointment of Assistant Professors (Law) under the Advertisement for Academic Position dated June 12, 2017 of WBNUJS from Late Ms. Neha Choudhury</p>

and Mr. Shuvro Prasun Sarker.

The Executive Council directed that the concerned committee already constituted shall look into the complaint dated 6/07/2018 and place the report in the next meeting.

The Report as stated shall be placed by the Vice Chancellor on table.

Resolution

The Committee members are requested to look into the allegations objectively and place its observations in this regard in the next meeting.

11. Hiring of University conference hall and auditorium

The matter arises out of the 107th Meeting of the Finance Committee held on 08/12/2018 and proposal received from the West Bengal Human Rights Commission towards reservation of one (1) conference room and four (4) big rooms for public hearing on problem & grievances of SC & ST for West Bengal during its Camp Sitting/ Open Hearing by the National Human Rights Commission.

In this regard, the University may fix the following rates for outside agencies for the time being until revised :

1) University Conference / other such rooms – Full day – Rs. 20000/-

Half day (4

hours) – Rs. 12000/-

2) University Smart Class Room
15000/-

- Full day – Rs.

- Half day (4

hours) – Rs. 8500/-

3) University Auditorium
60000/-

- Full day – Rs.

- Half day (4

hours) – Rs. 30000/-

4) Miscellaneous charges

- Rs. 60000/-

	<p>(Staff deployment, telephone usage, Internet usage, other miscellaneous services to conduct the programme)</p> <p>It is also proposed that The University authorities may also under extreme emergencies / exigencies and unavoidable circumstances may relax the rates if the situation demands thereto.</p> <p>The Finance Committee in its meeting held on 08/12/2018 directed / recommended that "The matter requires to be approved by the Executive Council and once the Executive Council approves, this agenda item may be placed before the Finance Committee".</p> <p>Accordingly, the matter is placed before the Executive Council for direction.</p> <p><u>Resolution</u></p> <p>The agenda item is deferred till the next meeting. In the meantime Advocate General will give his suggestion in the matter.</p>	
12.	<p>Letter of Dr. Kavita Singh, Associate Professor, WBNUJS regarding ICC & all matters connected thereto</p> <p>The Vice Chancellor was in receipt of a letter dated 28/06/2018 from the Student Juridical Association (SJA), WBNUJS stating for a reconstitution of the Internal Complaints Committee (ICC).</p> <p>Subsequently the matter with referred quote therein has been forwarded to Dr. Kavita Singh, Associate Professor, WBNUJS by the Vice Chancellor about the reconstitution of the new committee for ICC. The Office Order regarding the same was issued on 19/07/2018. The earlier committee in this regard was also put up for information which was noted and approved by the 57th Meeting of the Executive Council in its meeting held on 11th November 2017 and further confirmed on 58th Meeting of the Executive Council held on 10th December 2017.</p> <p>On receipt of the letter from the Hon'ble Vice Chancellor (Acting), Dr. Singh wrote an email to the Vice Chancellor on 09/10/2018 after having a meeting with the Vice Chancellor on 05/10/2018 wherein she has requested the authority to allow her speak before the Hon'ble members of the Executive</p>	

		<p>Council when the matter will be discussed in the Executive Council.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The agenda item is deferred till the next meeting.</p>	
13.	<p>Application of three Professors regarding furnishing clarity of their appointment as Associate Professor of Law in 2007 in WBNUJS</p>	<p>The matter arises out of the 62nd Meeting of the Executive Council held on 29/09/2018 where the same was deferred for the next meeting.</p> <p>Smt. Madhumati Mitra, the then Registrar (Acting) of the University received a joint application on 23rd July from Professor (Dr.) Arup Kumar Poddar, Professor (Dr.) Sreenivasulu N.S. and Professor (Dr.) TVGNS Sudhakar regarding the clarity of their appointment as Associate Professor of Law in 2007 at the West Bengal National University of Juridical Sciences (WBNUJS).</p> <p>The matter has been considered and a detailed note in this regard has been put up before the Hon'ble Vice Chancellor on 08/08/2018 where the same was approved to be placed before the Executive Council for directions.</p> <p>The following documents are put up for ready reference in this regard :</p> <p>i) Photocopy of the advertisement for the Post of Associate Professor & Professor in 2007.</p> <p>ii) Photocopy of the members of the Selection Committee and their recommendations thereafter.</p> <p>iii) Photocopy of the Office Order bearing no. 148/Reg/09 dated 25/03/2009 for successful completion of the probation period in the post of Associate Professors.</p> <p>iv) Photocopy of the Office Order bearing no. 149/Reg/09 dated 28/03/2009 stating the existing contractual posts of the University be made permanent with effect from 23rd August</p>	

2008.

v) Photocopy of the portion of the Agenda Notes and respective Minutes of the Executive Council are as follows :

a) Agenda Item No. 2 of the 43rd Meeting of the EC held on 15/06/2013 and the respective Minutes.

b) Agenda Item No. 9 of the 44th Meeting of the EC held on 14/09/2013 and the respective Minutes.

c) Agenda Item No. 6 of the 42nd Meeting of the EC held on 27/04/2013 and the respective Minutes.

d) Minutes of the 46th Meeting of the EC held on 05/04/2014 and Justice Amit Talukdar's Report in respect of Dr. Sreenivasulu N.S., Associate Professor, WBNUJS.

e) Photocopy of the opinion of Shri Rathindra Narayan Chakraborty in respect of erroneous fitment of scale.

f) An RTI reply sent to Mr. M. Vishwanath by the University in regard to the Appointment of Associate Professor by the University in 2007.

g) Copy of the Minutes of the 47th Meeting of the Executive Council held on 1/11/2014, Agenda Item No. 9 in regard to the Granting of promotion under CAS to Faculty Members from Associate Professor (Law) to Professor – A Report.

The matter was submitted for directions.

Resolution

The matter is deferred in the next meeting.

14. Applications received for the post of Registrar & Accounts Officer	The matter arises out of the 61 st Meeting of the Executive Council held on 12/05/2018 (Agenda Item No. 5) and 62 nd Meeting of Executive Council held on 29/09/2018 (Agenda Item No. 4) where the Advertisements has been published in the University website on 05/10/2018 and the other news dailies.
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		<p>Accordingly, 8 (eight) applications for the post of the Accounts Officer has been received by the University and 17 (Seventeen) applications for the post of the Registrar has been received by the University and one application has been received beyond the stipulated date and time. All such applications are under the custody of the Registrar (Acting) in a sealed condition.</p> <p>The matter was submitted for directions</p> <p><u>Resolution</u></p> <p>A selection committee comprising of the Vice Chancellor, NUJS (Chairman), Vice Chancellor, University of Calcutta and the Vice Chancellor, Kazi Nazrul University is constituted for selection of the candidates for the post of Registrar & Accounts Officer.</p>	
15.	Enquiry Status of the Committees framed by the University	<p>The matter arises out of the 62nd Meeting of the Executive Council held on 29/09/2018 where the Executive Council deferred the matter till the next meeting.</p> <p>The various Committees formed by the Executive Council in its meeting held on 12th May 2018 are enclosed.</p> <p>The Report of the Committees in this regard will be placed in the table.</p> <p>The matter submitted for directions.</p> <p><u>Resolution</u></p> <p>The Committee for Centre for Child Rights and other Centres are reconstituted with Prof. (Dr.) Anupa Guha Majumdar (Chairman) and the Registrar and Dr. Bikramjit De. Rest of the agenda is deferred.</p>	
16.	Honorarium/ Remuneration of the Chair Professor Ford Chair on Human Rights and Research	<p>The matter arises out of the 104th & 106th Meeting of the Finance Committee held on 17/07/2018 & 22/09/2018 & the same was placed before the 62nd Meeting of the Executive Council held on 29/09/2018 where the same was deferred directing that a report be placed by the Vice Chancellor on the functioning of the Chair Professor and Research</p>	

<p>Assistant associated with that Chair – Report placed herewith</p>	<p>Assistant.</p> <p>The Vice Chancellor (Acting), WBNUJS has submitted a report as per the direction mentioned above.</p> <p>Also a note has been put up by the Research Assistant, Ford Foundation Chair on Human Rights & Citizenship Studies, WBNUJS which has been further forwarded by the Assistant Registrar (Administration) about the status of the Centre at present and its functioning.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The matter was deferred till the next meeting.</p>	
<p>7. Nomination of Membership regarding – Dr. Anupama Ghosal, Assistant Professor (Social Sciences)</p>	<p>The matter arises out of the 61st Meeting & 62nd Meeting of the Executive Council held on 12th May 2018 and 29th September 2018 and the 62nd Meeting deferred the same to the next meeting.</p> <p>Dr. Anupama Ghosal, Assistant Professor (Social Sciences) have submitted an application regarding membership in the meeting of the Executive Council under Clause 7(1) (j) of the Schedule of the WBNUJS Act, 1999.</p> <p><u>Resolution</u></p> <p>The matter was deferred till the next meeting.</p>	
<p>18. Arrear claim of Dr. Anupama Ghosal for the period 07/01/2005 to 30/08/2008</p>	<p>The matter arises out of the 62nd Meeting of the Executive Council held on 29/09/2018 where the same was deferred to the next meeting.</p> <p>Dr. Anupama Ghosal, Assistant Professor has claimed for his release of Arrear payments in regard to pay. The letter enclosed is self explanatory.</p>	

	<p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The matter was deferred till the next meeting.</p>	
19. Application for Lien and Extension for Lien	<p>The matter arises out of the 60th Meeting, 61st Meeting & 62nd Meeting of the Executive Council held on 7th April 2018 & 12th May 2018. The copy of the resolution made thereon has been forwarded to the concerned faculty member for her information. The matter was again placed before the 62nd Meeting of the Executive Council 2018 where the same was deferred.</p> <p>Now, Ms. Mercy K. Khaute, Assistant Professor in Law under ST Category have forwarded an e-mail to the Vice Chancellor which is self explanatory.</p> <p>The matter arises out of the 44th Meeting of the Executive council held on 14/09/2013 (Agenda Item No. 7) in regard to the Lien of Professor Manoj Kumar Sinha, Professor of Law, WBNUJS and thereby joining as Director, ILI, New Delhi from 01/08/2013. The same was granted by the Executive Council.</p> <p>The Vice Chancellor (Acting) was in receipt of a letter from Professor Manoj Kumar Sinha bearing no. ILI/Admn/2018/2554 dated 14/08/2018 in request for extension of Lien / Deputation for serving as Director for another term of five years at ILI, New Delhi and thereby also communicated to the Professor over e-mail stating the same will be placed before the Executive Council Meeting.</p> <p>Professor Sinha also informed that a request letter has been sent by the Registrar, ILI bearing no. ILI/Admn/2018/2455 dated 26th July 2018 in this regard and thereafter he have accepted the offer for the position of Director, ILI w.e.f. 01/08/2018 to 31/08/2023.</p> <p>The Executive Council may kindly be appraised of the fact that while taking a decision on the matter of Lien for Ms. Mercy Khaute, the then Assistant Professor, WBNUJS in its 60th</p>	

Meeting of the Executive Council held on 07/04/2018, the Executive Council directed to frame a Policy to put in place for allowing Professors and other academic Staff to be released on lien to other teaching institutions. Accordingly, the Judicial Secretary was requested to frame such a Policy and to put up a draft for consideration before the Executive Council in its next meeting. Thereafter the then Registrar (Acting) has forwarded a letter to the Judicial Department bearing no. NUJS/REG/120/2018 dated 22/06/2018 for forwarding the draft policy in this regard.

Dr. Sarafarz Ahmed Khan, Assistant Professor has claimed for Lien on joining an appointment to the superior post of Associate Professor (Law) at MNLU, Mumbai for two years from 11/08/2018 (Annexure 19G). The University has issued an Office Order in regard to pending decision of the Executive Council he has been relieved from afternoon of 10/08/2018.

The matter was submitted for kind perusal and direction.

Resolution

The matter was deferred till the next meeting.

20. Application of Mr. S.A. Khan for consideration of his candidature for the post of Professor – Law (Leave Vacancy) at WBNUJS

The matter arises out of the 62nd Meeting of the Executive Council held on 29/09/2018 where the matter was deferred to the next meeting.

Mr. Sarafraz Ahmed Khan, Faculty member, WBNUJS has presently joined the Maharashtra National Law University, Mumbai as Associate Professor and has prayed over e-mail stating that he was in all probability selected for the post of Professor – Law (Leave Vacancy) during the recruitment which took place in 2017. He has also stated that while the Executive Council approved all appointments, it declined to approve appointment under Professor (Leave) Category primarily on the ground that the concerned faculty member will join soon and if he could be considered for such post. The said e-mail is also enclosed as ready reference.

The matter was submitted for directions.

Resolution

The matter is deferred till the next meeting.

21.

Prayer of Mr.
Premananda
Mukherjee,
Library
Assistant

The matter arises out of the 62nd Meeting of the Executive Council held on 29/09/2018 where the same was deferred to the next meeting.

Mr. Premananda Mukherjee has prayed for the post of Assistant Librarian as one of the two sanctioned post is lying vacant.

This is to inform in this regard that the University does not have any promotional schemes till date. It will therefore be prudent if some promotional schemes be framed for the administrative staff and once approved by the Executive Council the same could be executed.

The matter was submitted for directions.

Resolution

The matter is deferred till the next meeting.

22.

Revised
budget
estimates 2018
– 19 and
Budget
Estimates 2019
– 20

The revised budget estimates for the financial year 2018-19 and the budget estimate for the Financial year 2019-20 was approved by the 105th Meeting of the Finance Committee held on 14/09/2018. The same is placed before the Executive Council for approval.

Resolution

The revised budget is approved with the suggestion that as and when money is disbursed by the State Government for construction at the new land, necessary provision be made in the budget.

Clarification of the Seniority of Professors	<p>The matter arises out of the 33rd Meeting of the Academic Council held on 30/11/2018 where the Academic Council has directed the matter to be placed before the Executive Council for decision.</p> <p>Ms. Vaneeta Patnaik, Assistant Professor, WBNUJS has submitted an application to the academic council dated 25/07/2018 to the Vice Chancellor (Acting) seeking clarification on the seniority of Professor.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The matter was deferred till the next meeting.</p>	
24. Renewal of Services of the employees on consolidated pay	<p>Mr. Soumen Choudhury, TA (Computer Centre) – His tenure will come to an end on 31/03/2019. He is presently getting a consolidated salary of Rs. 22000/- per month. His services may be renewed from 01/04/2019 for a period of one year.</p> <p>Mr. Prabir Kumar Khotel, Electrician on adhoc basis – His tenure will to an end on 31/01/2019. He is presently getting a consolidated salary of Rs. 16500/- per month. His services may be renewed from 01/02/2019 for a period of one year.</p> <p>Mrs. Swapna Roy, Cook for VC's residence – Her tenure will be come to an end on 31/03/2019. She is presently getting a consolidated salary of Rs. 12500/- per month. Her services may be renewed from 01/04/2019 for a period of one year. She is presently serving the Registrar's Office as an Attendant.</p> <p>The matter was submitted for directions.</p> <p><u>Resolution</u></p> <p>The matter was approved.</p>	

<p>Completion of 10 year of MACP of Mr. Nabendu Dam</p>	<p>The University has adopted the recommendations of 6th Central Pay Commission w.e.f. 1st January 2006. Under the Commission's guideline the University has adopted the Modified Assured Career Progression Scheme (MACP) for the upgradation of the employees working under various categories as per the acceptance in the 47th Meeting of the Executive Council dated 01/11/2014. Mr. Nabendu Dam, Campus Supervisor, WBNUJS have completed his ten years of service have prayed for MACP.</p> <p>The matter was referred to the Internal Committee set up to look after the viabilities before its implementation. Based on the resolution of the Committee an Office Order bearing no. 923/Reg/18 dated 13/12/2018.</p> <p>The matter was submitted for kind perusal and ratification.</p> <p><u>Resolution</u></p> <p>The matter was approved.</p>
<p>26. Request of additional land</p>	<p>WBNUJS being one of the India's premier law schools and imparting legal education is currently suffering a shortage of land of construction / extension of its campus. With increase of the various LAW related courses and with an increased number of students, the University is starving for space at present.</p> <p>At this juncture, an additional land as prayed for earlier as per letter dated 13th April 2018 for allotment of land and additional land may kindly be consented. This is also for information that WBNUJS is only national law school in the country with only 5.5 acres of land.</p> <p>The matter was submitted for perusal and direction.</p> <p><u>Resolution</u></p> <p>The Building Committee will take steps to provide the plan and estimate for construction for boundary wall and hostel at the allotted land to the Vice Chancellor who shall place the same in the next Executive Council meeting.</p>

		In regard to the additional land the Registrar will take up the matter with the State Government on receipt of the recommendation of the Building Committee.	
27.	<u>Any other matter with the permission of the Chair</u>	<p>Nominating a member of the Building Committee on elevation of Mr. Bibek Chowdhury as Judge, Calcutta High Court.</p> <p><u>Resolution</u></p> <p>Consequent upon elevation of Mr. Bibek Chowdhury as a Judge of the Hon'ble High Court, the third member of the Building Committee is replaced by Shri Sandip Kumar Ray Chaudhuri, Judicial Secretary, West Bengal.</p>	

Agenda Item No. 6**Reply of Dr. Anirban Mazumder, Coordinator SDME & Professor of Law, WBNUJS**

Based on the decision of the last meeting of the Executive Council held on 29/09/2018, the Registrar of the University on her letter dated 01/10/2018 issued a letter to **Dr. Anirban Mazumder, Coordinator SDME & Professor of Law, WBNUJS**, directing to stop all online courses (Annexure 6A).

Dr. Mazumder subsequently have put in a letter 03/10/2018 stating that he will be unable to undertake this responsibility due to personal limitation. (Annexure 6B).

Submitted for directions.

Sent to
Director, SDME
Document no.
Reg 230710
01/10/18



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Anirban Mazumder

The WB National University of Juridical Sciences

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Date: 1st October 2018

Prof. (Dr.) Anirban Mazumder
Director, SDME,
WBNUJS

Sir,

As you know being a member of Executive Council present in the 62nd EC meeting held on 29.09.2018, that necessary directions for stopping all online courses was adopted in the above EC Meeting.

As a director you are requested to do the needful by uploading the information to all concerned and take necessary steps for giving effect to EC resolution.

As directed by Executive Council, hence forth all communications relating to online courses will be dealt by you in the line of EC resolution.

Yours faithfully,

Smt. Sikha Sen
11/10/18
Smt. Sikha Sen
Registrar (Acting)

Annexure GB1452/10
4/10/18

To
The Registrar,
NUJS
Kolkata.

3/10/18

Respected Madam,

This is with reference to your letter dated 1/10/18 regarding online courses. I humbly beg to state that I will not be able to undertake this responsibility due to personal limitation.

Thanking you in anticipation,

Sincerely yours,

Anirban Mazumder

Anirban Mazumder 3/10/18

To Sohan
Place
next
3/10/18